

Board Meeting Minutes

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likely to be much lower.

§ b) Whether an alternate funding formula should be adopted to replace the current pro rata/wireless workload formula.

Again, the answer produced from the study is no. This is based on (1) there has been little more than a year of experience with the present distribution system; (2) Phase II implementation costs for PSAPs and new tariffs from telcos are still incomplete variables; (3) not all carriers have fully implemented Phase I service at all PSAPs; (4) some centers are still receiving Phase 0 calls and are unable to count all their calls; and (5) the increased cost and staff workload associated with changing to another distribution method should not be incurred when the value of the change remains unclear.

Comments from Board

- Remove the small and median charts in each category because the analysis was drawn using only the average PSAP.
- On Figure 7, add a column to the chart showing the percentage of expenses covered.

David Lucas made a motion to accept the equity study as reviewed today and have John prepare a draft report to the Legislature stating the Boards conclusions. Lt. Col. Milligan seconded. All were in favor.

It was noted that this equity study is a good 1st time effort. It was suggested that if the Board is going to do a study on an ongoing basis, they require PSAPs to regularly send in reports with call counts, expenses, misc.

It was suggested to send the PSAPs a letter thanking them for their participation in the study and also placing the completed report on the Board's web site.

The meeting was adjourned at 12:23 p.m.

CMRS BOARD MEETING

DECEMBER 12, 2002

CMRS BOARD OFFICE 21 MILLCREEK PARK

Present: Richard Guittar, John Patterson, David Lucas, Laura Phipps (via conference call), Rob South, Lt. Col. Robert Milligan, Forest Skaggs, Dee Hopper (via conference call), Vicki LoBiondo (Staff), Ron Meadows (Contractor)

Guest Present: Dick Bartlett, Ron England, Shelby Horn, Mary Mullins, Mary McCormick, Ron Jones

Richard Guittar called the meeting to order at 1:05 p.m.

Forest moved to approve the minutes from the October 24, 2002 board meeting as written. Rob seconded. All were in favor.

PSAP Certification Committee – Forest Skaggs

The committee has not met since the last board meeting. Campbell County Consolidated has submitted an application. The Committee has not reviewed it.

Cost Recovery Committee – Richard Guittar

The Committee met by conference call on December 3rd. Discussion continued regarding Verizon's plan and the confidentiality agreement. A letter has been sent to Verizon regarding the Board's position on the request to sign Verizon's non-disclosure agreement. The committee is also looking at the concept of cost recovery for customer instruments in Verizon's plan.

The Committee reviewed Cincinnati Bell Wireless' plan and a letter has been sent to them requesting changes to their plan.

Technical Recommendations Committee – Richard Guittar

The only responses from the letter sent out to PSAPs and Carriers was from Cingular and AT&T Wireless. The committee will be getting together sometime in early January for a meeting.

Financial Report – John Patterson

Crowe Audit - Jennifer has communicated with carriers regarding the audit from 1998-2000.

Carpenter, Mountjoy and Bressler has completed the fieldwork on the administrative portion. They will be sending a draft report in the near future. PSAP audit is progressing. The auditors have selected the

carriers to be audited.

Jennifer is working on collecting information from other states regarding their administrative functions, budget, etc.

John reviewed the financial statements and the new format for them. Jennifer included October and November since there wasn't a board meeting in November.

Cost Recovery Invoices – John Patterson

Invoices from T-Mobile (Voicestream), American Cellular, Tritel, Bluegrass Cellular and Cingular have been received. \$440,862.03 in recurring invoices, \$101,885.26 in non-recurring, for a total of \$542,747.29. John made a motion that the Board approve the invoices to the carriers. Col. Milligan seconded. All were in favor.

Administrators Report – John Patterson

Regulations – The Amended Carrier Cost Recovery Regulation and the Permitted Uses by PSAPs for CMRS Funds Regulation was reviewed by the LRC on November 12th. The regulations go into effect December 16, 2002.

Open Meetings Law – The Board must have a quorum present (not via conference call) at all board meetings. Steve Dooley from GOT stated that videoconferencing is available. Vicki will get a list of available places and give to Board members.

Statewide Mapping – John's position as chair for the KIRCL task force will end December 31st. John stated that the task force is going to evolve into a project team. The task force is currently working with Woodford County regarding a demo for their data. The Board members expressed a desire to see the demonstration.

911 call transfers – John is working with GOT and Bell South to investigate the use of the KY Intelligent Highway (KIH) as a call transfer path between KY 911 centers for 911 calls. Presently KY PSAPs are unable to transfer data associated with 911 calls between PSAPs unless they are served by the same tandem switch. NENA is proposing a similar plan using 911 as an NXX, but that will probably be a couple of years in development. Early development by KY, in addition to solving our problem may position us for early implementation of any national plan and pilot studies funding interoperability.

Legislation – Steve Dooley-GOT

GOT will be drafting a notice of intent to the legislation establishing a state 911 coordinator. Steve noted that GOT would present a draft to the Board before it is given to the legislation. He noted 3 main points of the intent:

1. Merge or create a position with CMRS for a 911 Coordinator

2. To increase the wireless surcharge from \$.70 to \$1.00.

3. To expand Board and it's mission

The Board will be responsible for how the money gets distributed. Additional \$.30 could be used to fund part of the staff, provide for projects or studies, and mapping or integration of maps.

Phase II Committee – David Lucas

The Committee met on October 25th and they have hammered out the details for the regulation. Nothing has been drafted as of this date.

Equity Study – Ron Meadows

Ron mailed out copies of his study to Board members last week for their review. There was lots of discussion regarding the study. It was agreed that Richard, David, John and Ron would work on the report on Monday, December 16th. Ron would then present this report to the Board at a meeting on January 9th, 2003.

The meeting was adjourned at 4:55 p.m.

CMRS BOARD MEETING

OCTOBER 24, 2002

CMRS BOARD OFFICE 21 MILLCREEK PARK

Present: Richard Guittar, John Patterson, David Lucas, Laura Phipps, Rob South, Lt. Col. Robert Milligan, Forest Skaggs (via conference call) Jennifer Jackson (Staff), Vicki LoBiondo (Staff), Ron Meadows (Contractor)

Guest Present: Dick Bartlett, Mark Freeman, Ron England, Denisa Davidson, Shelby Horn, Tom Marshall, Wendell Hatfield, Mary Mullins, Mary McCormick

Richard Guittar called the meeting to order at 1:25 p.m.

Richard introduced Jim Coffman as the new Director for OGI.

Richard moved to approve the minutes from the September 26, 2002 board meeting as published. Rob seconded. All were in favor.

PSAP Certification Committee

The committee has not met since the last board meeting. Gallatin Co has submitted an application, but John asked them for more information before he will submit to the committee. Muhlenberg Co has requested an application packet.

KTA Conference is October 29-31. John has a complimentary booth there.

Cost Recovery Committee

The committee met today. Verizon has forwarded a non-disclosure agreement for Board members to sign. The Committee suggested sending the agreement to Cam Cantrill, General Counsel for GOT to compare with the non-disclosure agreement on file for the Board members and asking Cam to send a letter to Verizon with comments.

The amendment to the cost recovery regulation was reviewed. Two changes recommended by the LRC were not agreeable to the committee. The Committee decided that Section 12 Payment Frequency (line 11) was to remain "at least once each calendar quarter instead of "at least once each fiscal quarter as LRC suggested. Under the same section 12, LRC suggested deleting "submitted by carrier for reimbursement", the Committee decided to leave this section in the regulation.

PSAP Funds Advisory

John stated that he has reviewed the changes on the regulation by the LRC. There are minor word changes. November 12th is the meeting with LRC. It was decided that Vicki would insert the recommended changes from LRC into the regulation and send out to the Board to review. The Board will send comments to John by November 1 and decide on a date for a conference call board meeting to approve the changes. John will relay those requests to the LRC before the November 12 meeting.

Technical Recommendations Committee

Richard questioned whether John has received any responses from the letter sent out at the end of August on "Engineering Recommendations for Wireless 911 Trunking". John has received comments from Cingular. Richard stated he would re-send the letter to East KY Network and Mark Freeman at Bluegrass Cellular.

Financial Report

Jennifer stated the current balance in the administrative fund at the end of June was \$205,243.34. The volume disbursement payment for period ending 06/30/02 will go out November 1. The pro rata payment for period 9/30/02 will go out November 15th in the amount of \$9,624.76. 83 PSAPs are certified; the volume disbursement payment is for 81 PSAPs.

Rob questioned whether John has looked at other states administrative costs to compare with CMRS Board. John will try to get the information for the Board.

Carpenter, Mountjoy and Bressler have completed fieldwork on the Board accounts. 27 PSAPs have been notified that they will be audited and should be completed by the end of December. They are in the process of selecting the carriers.

Cost Recovery Invoices

Invoices from American Cellular, Sprint, Bluegrass Cellular and Cingular have been received. \$103,959.10 in non-recurring invoices, \$292,442.71 in recurring, for a total of \$396,401.81. John made a motion that the Board approve the invoices to the carriers. Rob seconded. All were in favor.

Administrators Report

Meeting with Bell South - John, Col. Milligan and Dee Hopper are traveling to Atlanta on Monday, Oct. 28th for a meeting with Bell South (NENA requested that representatives from each state talk with Bell South concerning a possible new tariff regarding wireless 911).

Statewide Mapping – John was elected as Chairperson for the 1st meeting. Several Board members have reservations about John taking the position. John told the Board that it was his enthusiasm for the project that started the task force and he did not want to see the project die out. There was some discussion about the project taking too much of John's time away from his duties as Board Administrator. John stated that he has talked with Jim Coffman, OGI Director and both agree the position should be Jims. However,

since Jim has just started this month with OGI, they both agree that if John took the position temporarily, Jim could possibly take over as chairperson at a later date. David made a motion that the Board approve of John being chairperson of KIRCL until the end of this calendar year. Col. Milligan seconded. All were in favor.

CMRS Phase I Coordinator – John stated that several people have mentioned the need for a person from the CMRS office to act as a coordinator with the carriers and 911 centers. The 911 centers are having problems with the carriers not getting the correct information regarding county name, tandems, emergency ESN, etc. John stated that the Board should be a resource for this information. It was decided that John would start the process of being the resource for the carriers and see if there is a need to create a position on the CMRS staff.

Crowe, Chizek, Audit – The audit is complete. The auditor's final reports stated the problems encountered with carriers. Richard stated that it would be a good idea to send letters to the carriers telling them what our auditors found. Jennifer will draft letters to the carriers.

Equity Study Update

Ron handed out a preliminary draft of the equity study. The report is not yet complete. He asked Board members to review and email him with any questions.

Phase II Committee

David stated the committee is meeting on Friday, October 25, at 9:00.

Comments or Discussion from the floor

Shelby Horn stated that she was concerned with wireless carriers that are not coming thru the Board to get their information. Richard stated if PSAPs are having problems with carriers, they could file a complaint with the FCC. Shelby also stated that she is concerned with the statewide mapping and the confidentiality of addresses.

The meeting was adjourned at 4:32 p.m.

CMRS BOARD MEETING

SEPTEMBER 26, 2002

KENA/APCO CONFERENCE – HOLIDAY INN NORTH, LEXINGTON, KY

Board Members Present: Richard Guittar, Dee Hopper, Forest Skaggs, David Lucas, Laura Phipps, Lt. Col. Milligan, John Patterson

Staff Present: Jennifer Jackson, Vicki LoBiondo, Ron Meadows (Contractor)

Guest Present: Steve Dooley, Tony Busam, Bob Boston, Bronda Galbraith, Bill Lacey, Fred Armstrong, Debbie Schadler, Mitch Mitchell, Shelby Horn, Marsha Penney, John Conley, Howard Allgood, Sharon Irby, Daryl Hensley, Mary McCormick

Richard called the meeting to order at 2:05 p.m.

John Patterson introduced Steve Dooley, Deputy Director for GOT and Tony Busam, National Chairperson for NENA's Nontraditional Communications Committee.

Approval of Minutes

Richard moved to approve the minutes from 8/29/02 board meeting. David seconded. All were in favor.

PSAP Certification Committee

The Committee met today before the board meeting. Frankfort/Franklin Co 911 has submitted additional information for certification. Forest made a motion that Butler Co and Frankfort/Franklin Co be eligible to receive CMRS funding. Dee seconded. All were in favor.

Forest noted that Garrard Co was on the 60 days approval list but is now fully certified. The Board has received a total of 89 applications completed with 0 pending.

Cost Recovery Committee

The amended regulation on the carrier cost recovery was discussed. The amendment is to allow the Board to make quarterly payments to carriers instead of requiring monthly payments. The wording of the regulation does allow monthly payments if a Board meeting is held. It was discussed whether the Board wanted to change the wording to only make quarterly payments. John noted that LRC (Legislature Research Commission) has reviewed the document and made several changes to the regulation (mostly punctuation changes). John asked the Board to endorse the changes made by the LRC. He also noted that there would be a public hearing on October 21 for public opinion on this regulation. Richard made a motion that the Board ratify as was submitted and to accept the changes made by the LRC. David Lucas seconded. All were in favor.

The committee has reviewed Bluegrass cost recovery plan. John made a motion to approve their plan. Richard seconded. All were in favor.

Richard stated that Verizon is still in the 1st stages of their Phase II cost recovery plan.

Cingular has submitted an amended plan and the Cost Recovery Committee voted to approve. John made a motion to approve the amended Cingular plan. Col. Milligan seconded. All were in favor. Richard abstained from voting.

Phase II Certification Committee

David gave a presentation at one of the sessions at the KENA/APCO Conference. He noted that the committee is going to be putting this information into a regulation by the end of this year. He stated that the Committee is asking for public comment on the presentation and proposed regulation. There will be a meeting in October for any feedback and more details.

PSAP Funds Advisory Committee

Dee stated that the committee has reviewed the proposed regulation on Permitted uses by PSAPs for CMRS Funds. The regulation is formed from the 911 spending guidelines the Board had approved earlier. The LRC has also made word changes on this regulation. There was some discussion on whether both section 2 and 3 of the regulation were needed. David made a motion to approve the regulation as presently edited by the LRC. John seconded. There was more discussion about the difference between 2 and 3 and other parts of the regulation. Col. Milligan "called for the question". David restated his motion to approve the regulation as presently edited by the LRC. All were in favor.

Technical Recommendations Committee

Richard stated that letters have been sent out to the carriers and PSAPs requesting technical responses regarding technical recommendations for wireless 911 trunking. The Committee should be receiving those responses by the end of October.

Financial Report

Jennifer presented the July and August financials. Subscriber count is still growing. Crowe, Chizek is anticipating carrier portion of the audit to be finished next week. Also the auditors for 2000-2002, Carpenter, Mountjoy and Bressler (CMB) will be at the CMRS office starting Monday afternoon. CMB has made their selections of the PSAPs and carriers. Jennifer has provided labels and they should be contacting the PSAPs and Carriers shortly.

Cost Recovery Invoices

Invoices have been received from Bluegrass Cellular, AT&T Wireless and Cingular (\$328,327.48 in

recurring, \$21,460.00 in nonrecurring, for a total of \$349,787.48). John made a motion to approve the invoices for payment. Richard seconded. All were in favor.

Administrators Report

Richard and Forest have been reappointed to serve on the Board by the Governor. Their terms will expire August 15, 2006.

John stated that the Statewide Mapping presentation would be in another room that was already set up. He asked that the Board meeting continue there also.

Equity Study

Ron has visited all the PSAPs on his list. He will be meeting with Denisa Davidson from KSP next week. He will be compiling a draft narrative from the visits and general observations about the PSAPs to present to the Board at the next meeting. He has not received all of the reports from the PSAPs. He is calling all the PSAPs who have not submitted their reports.

Richard asked for comments and discussion from the floor.

Steve Dooley, Deputy Director for GOT, stated that he is very supportive of the Task Force for the Statewide Mapping and hopes that the Board will endorse it also.

John gave a presentation on the need for a Statewide Intelligent Road Centerline map which would incorporate PSAP jurisdictions and address data with GPS'ed road centerlines. He stated that the project has been tentatively titled Kentucky Intelligent Road Centerline (KIRC) map. There is a task force being formed for the statewide mapping project. John made a motion to endorse the Board sending a representative to be on the task force to begin the process. Forest seconded. There was discussion on whether the Board should be a leader in this process. Dee "called for the question". John restated his motion for the Board to endorse the concept of the statewide map and authorize him to be part of the Task Force. Forest seconded. All were in favor.

The meeting was adjourned at 5:20 p.m.

CMRS BOARD MEETING

AUGUST 29, 2002

CMRS BOARD OFFICE 21 MILLCREEK PARK

Board Members Present: Lt. Col. Robert Milligan, John Patterson

Board Members Present Via Conference Call: Richard Guittar, Rob South, Laura Phipps, David Lucas

Staff Present: Jennifer Jackson, Vicki LoBiondo

Guests Present: Steve Tracey, Dick Bartlett (via conference call)

Chairman Richard Guitar called the meeting to order at 1:07 p.m.

Approval of 07/25/02 Minutes

David stated that the section PSAP Phase II Committee, last sentence should be changed to read "but not mandate how they meet them". This was noted and changed in the minutes.

Richard motioned to approve the minutes per change. Rob seconded. All were in favor.

PSAP Certification Committee – John Patterson

The Committee met yesterday by conference call. The Committee approved one application and sent another back for additional information. However, since Forest could not attend the Board meeting, it was decided not to take any action on either application until the next Board meeting.

John stated that Campbell County, City of Newport and City of Ft. Thomas centers have consolidated into one center. John noted that the Board had previously agreed that when centers consolidate, the Board would continue payments for all the centers to the one consolidated center for a period of 24 months from the date of consolidation. John asked the Board to clarify the fact that Campbell County currently has 3 payees and should be combined into one payee. Also, does the new PSAP need to re-certify? Richard stated that the center should have to go thru the certification process. John also stated that the Board needed verification of their equipment. Col. Milligan made a motion to require that the consolidated center be required to certify. Richard seconded. All were in favor.

Cost Recovery Committee – Richard Guittar

The Committee met today before the Board meeting. They reviewed Sprints revised plan. They had a few minor changes for Sprint to make. The committee recommended that Sprints plan be approved.

Richard made a motion to approve Sprints plan. John seconded. All were in favor.

Bluegrass Cellular is going to clarify some points. Richard made a motion to approve their plan as modified today. David seconded. All were in favor.

Richard stated that Verizon has submitted invoices that do not reflect their plan. They will try to schedule a meeting with Verizon. The Committee recommended that their invoices not be paid.

PSAP Phase II Committee – David Lucas

The committee met today before the Board meeting. David will be giving a presentation at the KENA/APCO Conference. The Committee wants to get input from the PSAPs. The Committee will bring their conclusions to the Board after that.

PSAP Funds Advisory Committee – John Patterson

The Committee has not met. John has talked with the LRC about drafting the regulation. LRC stated that the document needs to be re-drafted in proper regulatory language. John will give the Board a copy of the revised regulation before the next Board meeting.

Technical Advisory Committee – Richard Guittar

Richard stated that he had composed a letter to send out and asked if John had sent them out. John said "No, but he would send out by the end of this week."

Cost Recovery Invoices – John Patterson

John stated that Voicestream, American Cellular, and Bluegrass Cellular have cost recovery invoices to be approved. The total of the recurring invoices is \$166,137.06, non-recurring amount is \$69,793.20 for a total of \$235,930.26. John made a motion to approve payment of the invoices. Richard seconded. All were in favor.

Rob asked if there was a listing of all the Board members and Committees. John stated that he would email this list to the Board members.

Richard asked if there were any comments or discussions from the floor. There were none. Richard motioned to adjourn the meeting at 1:30 p.m. and David seconded.

CMRS BOARD MEETING

JULY 25, 2002

CMRS BOARD OFFICE 21 MILLCREEK PARK

Board Members Present: David Lucas, Lt. Col. Robert Milligan, Dee Hopper, John Patterson, Richard Guittar, Forest Skaggs

Staff Present: Jennifer Jackson, Vicki LoBiondo, Ron Meadows (Contractor)

Guests Present: Ron England, Alice Caudill, Alvin Caudill, Mary Mullins, Peter Clought, Dick Bartlett, Mary McCormick

Chairman Richard Guitar called the meeting to order at 1:15 p.m.

Richard introduced Lt. Col. Robert Milligan who is replacing Co. Lile on the board and asked that he give a brief overview of his career with KSP.

Elect Vice Chairman

Richard stated that due to Col. Lile leaving the Board, the board must elect a new vice chairman. David stated that because he was appointed from Mayor Pam Miller and she will be leaving office in January, he would be willing to serve until January when the Board would be electing new officers. Forest made a motion for David to be the vice chairman. Richard seconded. Dee made a motion to close the appointment. All were in favor.

Re-appointments to the Board

Richard and Forest questioned John about their re-appointments to the Board. Terms will expire August 15, 2002. John stated that Cingular has approved Richard and that KTA has approved Forest for another term (KTA must also submit two other names). Forest questioned whether a notice was sent to the carriers. John said no, that he had not. Richard noted that previously the problem was finding a carrier willing to nominate an employee. John will inquire with the Governor's office regarding the status of the reappointments.

Schedule Board Meetings

John stated that the next scheduled board meeting is September 26 at the KENA/APCO Conference at 2:00 p.m.

Dick Bartlett stated that this conference is a continuing education conference and KENA is partnering with KY Emergency Number Assoc. and KY Emergency Management. Forest asked if Telco landlines have been notified of the conference. Forest will get labels printed for a mailing list for Dick. John stated that he would send the conference brochure to all PSAPs in KY.

David questioned whether a Board meeting was needed in August. Richard stated that the meeting could be a conference call. The following dates were set for future meetings:

August 29 1:00 p.m. conference call

September 26 2:00 p.m. KENA/APCO Conference

October 24 1:00 p.m.

December 12 1:00 p.m.

January 30 1:00 p.m.

Approval of 05/10/02 Minutes

Richard questioned Page 2 of the equity study section: The study will assess the impact of various funding disbursement formulas. John stated this section addresses how changes will impact both the PSAPs and the cost of administering the formulas.

David motioned to approve the minutes as written. Dee seconded. All were in favor.

PSAP Certification Committee – Forest Skaggs

The Committee met today. The Committee agreed to ask Butler County for more information on their application.

Cost Recovery Committee – Richard Guittar

1. Richard stated that the way the committee is structured there is the potential for a quorum of Board members at meetings. The committee agreed that John should no longer be a committee member, but continue to provide administrative support to it. John noted that the by-laws direct that the Board chair shall appoint committee chairs. Richard then appointed himself as Chair of the Cost Recovery Committee.

2. The Committee has generated some questions for Sprint on their Cost Recovery Plan.

3. Carriers have questioned the committee whether the board should reimburse carriers to provide diverse routing to Verizon Wireline's redundant selective routers for its PSAPs. Since no other ILEC is providing this level of service; reasonable alternatives exist to maintain the diverse routing already in place from the routers to

the PSAPs; the cost was found to be potentially very high for only a small number of counties; and ALLTEL agreed that the diversity was not essential to their plans after the transfer of Verizon's KY properties – the committee after several meetings to review this issue voted 3 to 1 to recommend that the board only reimburse carriers for a nondiverse routing from their MSCs to one of the Verizon Lexington offices and the use of a DACS to split DSOs off in Lexington to the two existing routers.

4. The committee also recommended that Verizon submit a revised cost recovery plan based on Jennifer's input their invoices do not tie back to their current plan.

PSAP Phase II Committee – David Lucas

The committee met today before the Board meeting. The Committee tried to set a baseline for Phase II certification and a timeline. In the meeting next month, the Committee will set standards and goals for PSAPs to meet – but not mandate how they meet them.

PSAP Funds Advisory Committee – Dee Hopper

The Committee has not met. Dee mentioned that a Notice of Intent to promulgate a regulation on the permitted uses by PSAPs for CMRS funds has been filed. Forest questioned whether the Board approved this action. Dee noted that the Board requested that the Attorney General's office review the guidelines. She deferred to John to explain what happened subsequently.

John stated that as directed at the May 10 board meeting, he attempted to forward the guidelines to the AG office for an opinion. They said that few opinions were being issued other than those required by statute. They advised that after a review of KRS 65.7633, the board forward them to LRC and promulgate as a regulation. John said he next contacted David Nichols at the LRC who agreed that the guidelines should be a regulation if they are to have any force at all and that clearly KRS 65.7633 intended that the board do this very thing. Mr. Nichols suggested that the Board file a Notice of Intent and at its next meeting the board could vote to proceed or cancel the hearing and effectively withdraw the Notice of Intent.

There was much discussion as to whether the filing was proper since the board did not specifically approve it and whether it might be challenged later. David noted that John had discussed it with him and told him it would save some time since it takes 6 months to complete the regulatory process and a NOI must be filed before the 15th of a month. John noted that he was trying to avoid any unnecessary delay and felt that this was consistent with the board's intent to provide clarification to PSAPs and since promulgating a regulation was advised by the AG if the guidelines were to have any real standing. (John left the room) Richard asked the Committee Chair for her opinion on how the board should proceed. Dee stated that the Board should go ahead with the NOI as a regulation because if the Board is not going to enforce the guidelines, then they were a waste of time. David made a motion to continue the process for creating a regulation out of the guidelines from the PSAP Funds Advisory Committee, based on the action already taken. Dee seconded. John returned and Richard asked David to restate his motion. David made a motion to continue with the process that has been started to make a

regulation based on the PSAP Funds Advisory Committee recommendation. Dee again seconded. There was more discussion along the same lines. David called the question. All were in favor to publish the regulation.

Technical Advisory Committee – Richard Guittar

Richard stated that he had composed a letter to send out and asked if John had sent them out. John said "No, but now that the carrier list has finally been updated and he would send the letter to this group."

Financial Report – Jennifer Jackson

1. Two PSAP payments are being sent out in August.

- Volume disbursement payment paperwork is almost completed. (Waiting on 1 revised zip code report).

- Prorata payment will be made on August 15, 2002 for \$9,738.87 based on 81 PSAPs.

2. Administrative Statement is for 6/30/02. Jennifer noted that she thinks this is the official year-end statement. Total expenses were within \$1200 of the budget forecasted.

3. Subscriber analysis chart is off due to one large carrier changing their billing system from billing in arrears to current month billing which had the effect of increasing their subscriber numbers for one month.

4. EFT Project Update – Currently 2 carriers are using EFT. Nine carriers have submitted their profiles.

Jennifer and John met with GOT and Finance Cabinet concerning the state's new E payment system for which EFT was a pilot. It will interface with the new system and the change should be transparent to carriers.

Administrator's Report – John Patterson

1. John has decided to re-classify Jennifer's position unless the board has an objection. Her current job duties are broader than originally defined and more in line with a Staff Assistant. He noted that she manages the office when is out of town. This position would be a higher grade. John will forward a copy of the job classification for this position to the Board members.

2. Regulations – John also filed a Notice of Intent to amend the frequency of payments to CMRS carriers to at least once per calendar quarter instead of monthly as currently required. Carriers can still submit their invoices monthly.

3. Open Records – The Board directed that its Counsel, Cam Cantrill appeal the "Open Records" opinion issued by the AG's office re: the Kenton and Jefferson

County request for carrier data. After much review with his colleagues, he decided that the AG's decision was not an "Open Records" opinion at all, but merely an advisory letter that has no force of law. Therefore, Cam "tendered" a letter to the Franklin Circuit court to keep on file as a measure to indicate that the board did not ignore the AG's letter and to preserve the board's right of appeal should one of the parties argue that the AG did, in fact, issue an "Open Records" opinion. (A copy of the Cams' letter was included in the Board meeting packet). Dick Bartlett (Louisville/Jefferson Co. 911) stated that the last assumption he had was that they had won and he had not received a copy of this letter. He also stated that Jefferson County would decide whether to take the Board to court in order to retrieve the information requested previously.

5. Audit – Dana Vincent was sent a representation letter stating that to the best of John's knowledge had remitted surcharges according to the statute. Should have a draft financial statement re: carriers soon.

6. Carpenter, Mountjoy and Bressler was selected for the next audit. The contract amount has increased from \$28,575 to \$37,208.00 to allow for the performance bond and the audit of PSAP spending, which were not on the bid proposal. The contract has been signed by both parties and sent to Finance for approval.

7. KENA Conference –Blaise Scinto (FCC) and Tony Busam (RCC Consultants) will speak at the conference. Per the board's direction Ms. Scinto's travel will be paid by the board. As a public education effort, John also authorized payment of Mr. Busam's room. He will speak on 911 as an Nxx which will help with transfer of wireless calls.

8. NENA 2002 Conference Tapes – Tapes were purchased by the Board and are available for loan.

9. Carrier Contact List – List has been updated. This list will be sent to all PSAPs.

10. The FCC has directed that every person in U.S. be able to call 911 and get emergency service and if people can't call 911, that some entity within state government make that decision for them. Forest has recommended John for this position. In that regard, John has received a letter, forwarded from the Governor, in which Verizon asks where to direct calls to 911 in Cumberland County. John has already met with the Cumberland County Judge on this and will work with each of the three counties (Owsley, Robertson, and Cumberland) to determine where they want their calls sent..

11. Cost Recovery Invoices – John has invoices from Voicestream, American Cellular and Bluegrass Cellular totaling \$92,425.84 to be approved. John made a motion for the Board to approve these invoices for payment. Richard seconded. All were in favor.

12. John made a motion asking the Board give him the authority to approve \$83,587.87 for other invoices pending satisfactory documentation of invoices that have a balance forward. Richard stated that if the carrier does not follow their

cost recovery plan, then they should have to wait until the next meeting to get their invoices approved. John withdrew his motion.

Equity Study – Ron Meadows

Ron stated that the changes to the equity study format are in place. He has completed 46 visits to PSAPs and should have all visits completed by the middle of August. He stated that most PSAPs were glad to see the changes.

Richard then asked if there were any more comments or discussions. There were none. David motioned to adjourn the meeting at 3:45 p.m. and Richard seconded.

CMRS Board Meeting

May 10, 2002

CMRS Board Office 21 Millcreek Park

Board Members Present: David Lucas, Col. John Lile, Dee Hopper, John Patterson

Richard Guittar, Laura Phipps, Rob South (via conference call)

Staff Present: Jennifer Jackson, Vicki LoBiondo, Ron Meadows (contractor)

Guests Present: Ron England (Harrison Co. 911), Allen Muse (Sun Com)

Chairman Richard Guittar asked Col. John Lile to conduct the meeting.

Vice Chairman Col. Lile called the meeting to order at 9:06 a.m.

Approval of 04/25/02 Minutes

Dee Hopper motioned to approve the minutes as written. Richard Guittar seconded. The vote was unanimous

PSAP Cost Guidelines – John Patterson

- John stated that Cam Cantrill would be joining us shortly for the meeting via conference call.
- John met with Cam Cantrill who felt the PSAP guidelines should not be put into regulation. The statute encourages the board to issues guidelines on how to spend the money. Cam recommended the board publish the guideline. He can seek an Attorney General's opinion if the Board desires it
- Col. Lile suggested using the guidelines as a working document, subject to change based on the Attorney General's opinion.
- Dee Hopper suggested that the board should state these guidelines only apply to PSAP expenses incurred directly in response to certification requirements or any expenses after certification was approved.
- Col. Lile made a motion to accept the guidelines. John Patterson seconded. David Lucas arrived at 9:15 a.m. John Patterson brought him up to date on the discussion re: the guidelines. Guittar, Phipps, South, Patterson, Lile, and Hopper voted "Aye" on the motion. David Lucas voted "No". David Lucas commented that he voted "No" because he believes the guidelines

expand allowed expenses to include costs that are not wireless and, therefore, not intended by the statute.

- Dee Hopper motioned to ask for an Attorney General's opinion on the guidelines. John Patterson seconded. Cam Cantrill called in at 9:18 a.m. John brought Cam up to date on the discussion re: the guidelines. Cam agreed that the guidelines should be distributed and a request sent to the Attorney General for an opinion. The vote on the motion was unanimous.

Equity Study – Ron Meadows

- Ron gave an overview of his revised study.
 - o No wireline data will be collected
 - o 3 week call count sample (July, August and September months)
 - o Only a sample of 30 certified PSAPs will be utilized to extrapolate generalizations about the state as a whole.
 - o Statistic experts will be consulted.
- He also stated that he had already contacted several people concerning this study. Dr. Crouch who was recommended at the last Board meeting said he only dealt with population census. Ron also contacted Dr. Paul Coons – UL, Dr. Linda Parry – WKU, Dr. Ron Langley, Dr. Kirk Veal and Dr. Arnold Stromberg (who has completed 911 studies) -UK. All contacted said the study methodology is good but the sample size of only 30 PSAPs in a total population of 80 could result in skewed data. The smaller the population the larger the sample needs to be for confidence in the results. Dr. Langley recommended all 80 PSAPs be considered. Dr. Stromberg noted that in his experience with Lexington 911, call counts for brief periods are not always reliable indicators of reality.
- Col. Lile and John Patterson noted that if the study samples all 80 PSAPs, the validity would increase.
- Ron Meadows reviewed the wireless expense worksheet in the meeting packet for the Board. PSAPs would do the calculations to determine the wireless expense total.
 - o PSAP wireless expenses will be the sum of "100% wireless expenses" and "allocated wireless expenses".
 - o "100% wireless expenses" are those expenses that were incurred to meet certification requirements or solely to comply with the CMRS statute or FCC requirements for wireless 911 calls.
 - o For "allocated wireless expenses", PSAPs should multiply the PSAP costs times the percentage of wireless 911 calls received (out of total 911 calls). If the

PSAP is not receiving calls from all carriers providing service, it could use the percentage of wireless 911 calls received (out of total 911 calls) OR at their option, use 26.5% (national percentage of wireless 911 calls as reported by NENA) as the multiplier. This option will allow PSAPs that are not fully Phase I implemented to approximate their potential call volume.

- David Lucas recommended to randomly select any 7-consecutive day period as the week in each month. Ron Meadows stated that if it is the last week of September, it might be difficult to get the information back from the PSAPs in order to get the reports completed in time for a draft report at the October Board meeting.
- John Patterson asked if every PSAP would have to participate. He noted that the PSAPs are required to submit information to the Board and can be decertified if they do not comply. There was general agreement that this was not the best approach. Instead the Board would note in its report if a PSAP refused to participate. PSAPs should understand that it is in their best interest to participate in this study as they will have to live with the conclusions.
- Col. Lile suggested that the Board design a form for call counting. Everyone agreed that the Board should be clear on how they want the call counting reports delivered.
- John Patterson restated the board's conclusions on the study design:
 - o All 80 PSAPs would be strongly encouraged to participate with those not submitting reports noted in the final report.
 - o PSAPs would report only wireless expenses using the form included in the meeting packet. The PSAP cost guidelines approved (earlier in this meeting) should be used by all PSAPs for the purpose of consistency in this study.
 - o Wireless 911 calls would be counted for a 1-week period in July, August, and September. The computer would randomly select any consecutive 7-day period during each of the months. PSAPs will note how they counted calls. The PSAPs can count only calls received on 911 trunks not administrative lines.
 - o The study will assess the impact of various funding disbursement formulas on both:
 - § The administrative costs of establishing and maintaining the various formulas; and
 - § The effect on funds received by PSAPs vs. their costs in providing wireless 911 service.
 - o Disbursement formulas to be considered will include: pro rata, call counting, subscriber by zip code; population; actual costs; a combination of the above methods.

- o All board members agreed that the above elements would form the basis for the required equity study. David Lucas reiterated that his agreement to use the cost guidelines for consistency in the study does not indicate his agreement that the cost guidelines should be used otherwise.

Attorney General Opinion (Open Records)

- John Patterson reviewed the opinion received from the Attorney General.
- Cam Cantrill stated that the Board can appeal the Attorney General's opinion and it must be done within 30 days of the date of the decision (May 3, 2002).
 - o Cam noted that the recent "Strong vs. Chandler" ruling on which the AG based his opinion had not been decided when the Boards denied the open records requests.
 - o He said that the Attorney General did not make any distinction between the Louisville and Kenton Co. requests and that the AG's assertion that, "the Board does not contest" the legitimate needs of the appellants for this information is wrong.
 - o Cam felt that the core issue in "Strong vs. Chandler" has little to do with the issues in this case.
 - o Cam noted that no information must be disclosed until the appeal was decided.
- John Patterson asked Cam "if a carrier seeks an injunction, what are the consequences"? Cam stated that if a carrier wanted to also appeal, the Board would welcome their help.
- David Lucas made a motion to appeal the Attorney General's opinion. Richard Guittar seconded.
- John Patterson questioned whether the Board should invite the carriers to participate in their appeal. It was agreed that the Board would appeal separately from carriers.
- John Patterson noted that he has forwarded a copy of the Attorney General's opinion to Marion Tilson of Cingular and Sean Foley of SunCom. Rob South suggested that the Board send it to all carriers. David Lucas recommended sending a copy of the letter with a cover letter stating that the Board is appealing.
- Col. Lile restated the motion that the Board would appeal the Attorney General's opinion. The vote was unanimous.
- David Lucas motioned to send the letters noting the Board's intention to appeal the Attorney General's opinion along with a copy of the opinion to all the carriers. Rob South seconded. The

vote was unanimous.

Approval of Cost Recovery Invoices – John Patterson

John stated that there were no invoices to approve. However, the Cost Recovery Committee needed to schedule a meeting.

Col. Lile then asked if there were any comments or discussion from the guests.

- Ron England of Harrison Co. 911 stated that they had no way of counting their wireless calls. Most of their calls are still coming in on administrative lines and there is not a line dedicated for them. Col. Lile asked if Mr. England agreed with the study's approach. Ron again stated that there was no way for him to give an accurate count of wireless 911 calls.

John Patterson made a motion to adjourn the meeting at 10:35 a.m. David Lucas seconded and the meeting was adjourned.

The next meeting is scheduled for July 25, 2002 at the CMRS Board offices.

CMRS Board Meeting

April 25, 2002

CMRS Board Office 21 Millcreek Park

Board Members Present:

Richard Guittar, Dee Hopper (via conference call), Laura Phipps, Forest Skaggs, David Lucas, Col. John Lile, John Patterson

Jennifer Jackson (staff), Vicki LoBiondo (staff), Ron Meadows (contractor)

Board Members Absent

Rob South

Guests Present: Mitch Mitchell, Sandy Virgin, Mary Mullins, Dana Vincent, Edward Olliges, Mark Freeman, Malvena Akel, Bronda Galbraith, Pete Clough, Denisa Davidson

Chairman Richard Guittar called the meeting to order at 1:00 PM.

He introduced Malvena Akel from Cingular Wireless. He also introduced Vicki LoBiondo, Executive Secretary to the Board. The Board members also introduced themselves.

Approval of 03/28/02 Minutes

Forest Skaggs asked if the meeting with Terry Thompson was in regard to the next budget cycle. John noted that we are trying to get the budget consistent with the appropriations.

Richard Guittar questioned whether we would hold a Board meeting at the KENA/APCO conference. The Board is on the schedule for September 26.

Richard Guittar motioned to approve the minutes as written. Laura Phipps seconded. The vote was unanimous.

Audit Update

Dana Vincent and Edward Olliges from Crowe Chizek & Co. LLP gave an update on the audit. Mr. Olliges gave the Board an update and said there is one item still holding up the audit. There is \$13,000 in interest that has not been posted to the Board. Jennifer Jackson is working to get that completed. John Patterson will also need to sign a new representation letter for the auditors. Once the interest problem is solved, the auditors will issue

financial statements in about a week and a half.

Dana Vincent noted that the biggest problem with the audit has been the difficulty in getting information from the providers. The Board questioned whether the next audit would be easier since providers would already know what to expect. John Patterson noted that the auditors sampled 8 providers and the next audit would probably be a different bunch. David Lucas questioned whether the Board should remind them that it could stop their reimbursements if they do not cooperate with the auditors. It was agreed that Jennifer Jackson and John Patterson would contact providers before withholding any reimbursements.

PSAP Certification Committee (Forest Skaggs):

The Committee met today at 12:00 p.m. Forest moved that the Board certify Garrard County, subject to written verification of a TDD unit on their equipment list. David Lucas seconded and the vote was unanimous.

Cost Recovery Committee (John Patterson):

The Committee has not met since the last Board meeting. John Patterson has received an addendum to Bluegrass Cellular cost recovery plan. He also received something from Sprint, which will probably require considerable work.

PSAP Phase II Committee (David Lucas):

The committee met today, there were seven committee members present. All are attending the Telecordia training on May 22 and 23, 2002.

Engineering Recommendation Committee (Richard Guittar):

The committee has not met since the last Board meeting. Richard is awaiting data before distributing materials to carriers and PSAPs.

PSAP Funds Advisory Committee (Dee Hopper):

The committee has met twice via conference calls. They received a list of guidelines from the state of Michigan for 911 Centers. The committee has modified the list for Kentucky. Dee wants the Board to review and send to CAM to see if we have overlooked anything. She would like to get the Office of Attorney General to review also.

Forest Skaggs asked that Cam advise the Board on whether this guide should be put into a regulation.

Financial Report (Jennifer Jackson, CPA)

The PSAP volume disbursement for May will be late. She has just received the last zip code report today. Pro-rata payment will be \$9,309.05 on May 15.

Jennifer reviewed the Administrative Fund Income Statement with the Board. Balance is \$242,383.04.

Richard Guittar questioned the EFT Maintenance and what will the cost level out to? John Patterson explained that we would not be incurring any new cost presently while the system is being implemented. John talked about the contract with Anexsys. There have been 4 successful transactions to date.

Forest Skaggs questioned the line of non-employee travel. Jennifer said that this is for Board members and Ron Meadows.

Richard Guittar questioned the \$15,521 for the car in view of the recurring carpool costs. Jennifer reported that the \$15,521 is the actual purchase of the car and the recurring costs are for monthly maintenance, insurance, gas, etc.

All board members except Col. Lile will be attending the Telecordia class. There are 9 slots still open for the class.

Administrators Report (John Patterson):

John noted that invoices totaling \$132,125.53 in recurring cost and \$79,849.63 in nonrecurring costs had been received and after review were considered to be compliant with the approved cost recovery plans. John Patterson motioned that the Board approve payment of the total in the amount of \$211,975.16. Richard Guittar seconded and the vote was unanimous.

David Lucas questioned whether staff was going to register Board members for the NENA conference. John Patterson responded that that didn't work well last year and most had agreed the best way was for everyone to register themselves and be reimbursed. Richard Guittar asked if reimbursement had to wait until after the conference was over. John said he didn't think so.

OGI has agreed to split the cost and staff booths at both the upcoming KENA / APCO and GIS conferences in Kentucky. They will have handouts regarding Phase II information, FCC Rulings and Mapping issues.

John reported on the Budget for FY03. The reason for the jump in FY '03 is to pay for the audit of FY '01 and '02. An additional \$60,000 is set aside for the following audit 2 years from July. OGI has agreed to split the cost of an upgrade to the phone system. Forest Skaggs questioned whether there is still talk about moving CMRS' offices. John felt that we would be here for at least another year.

Laura Phipps questioned the line for temporary manpower since Vicki has been hired? Jennifer noted that this cost is for Ron Meadows and does not appear on the budget past FY '03.

John went over the RFP for the next audit. He has made changes to the RFP per recommendations from GOT. Laura questioned whether we could put something in the RFP about non-compliance with the contract. (If they failed to complete the audit by a specified date). John will talk with Nancy Haggerty about this issue.

Marvena Akel from Cingular Wireless gave a presentation on Phase II technology that Cingular plans to deploy.

She has agreed to allow the Board to distribute copies of her presentation to Kentucky's public safety community, if requested.

Equity Study Project Design (Ron Meadows):

John Patterson gave a presentation on Reports as required by the Statute.

Forest Skaggs asked if the Board get something in writing about how he is going about his study?

Col. John Lile asked Ron to contact Ron Crouch from the State Data Center to get input on sampling methodology and how best to extrapolate conclusions from the data received.

There was a **LOT** of discussion back and forth about this study. Questions were raised regarding:

Whether call counting is necessary? If all of the budget information now being requested is necessary? What are wireless costs? What sampling techniques could be used and what data should be sampled?

David Lucas left the meeting at 5:00 PM leaving the Board without a quorum.

It was agreed that the Board should convene another meeting to resolve some of these issues and that Ron should make some revisions after discussion with experts at the state's universities.

Richard Guittar motioned to adjourn the meeting at 5:30 PM. Col. John Lile seconded.

The next meeting is scheduled for July 25, 2002 at the CMRS Board offices.

CMRS Board Meeting

March 28,2002

CMRS Board Office 21 Millcreek Park

Board Members Present:

Richard Guittar, Dee Hopper, Laura Phipps (via conference call), Forest Skaggs, Rob South, John Patterson
Jennifer Jackson (staff), Ron Meadows (contractor)

Guests Present: Bronda Galbraith, Mike Marshall, Pete Clough, Jeffrey Pack, Denisa Davidson, Shelby Horn, Mary McCormick

Chairman Guittar called the meeting to order at 1:00PM.

Approval of 02/28/02 Minutes

Forest Skaggs motioned to approve the minutes as written, Dee Hopper seconded and the vote was unanimous.

PSAP Certification Committee (Forest Skaggs):

The Committee has met twice since last Board meeting, once via conference call and today prior to Board meeting to consider Lee County application and the committee has voted to move the application to the Board. Forest Skaggs motioned that the Board certify Beattyville/Lee County for to receive CMRS funds. John Patterson seconded and the vote was unanimous.

An application has been received from Garrard County 9-1-1.

A partial application has been received from Butler County, the committee will not consider it until it is complete.

John Patterson noted that both Scott and Franklin Counties have asked for information on CMRS certification.

Cost Recovery Committee (John Patterson):

The committee met to finalize the East Kentucky Network application. The committee voted to send the application to the Board. John Patterson motioned to approve East Kentucky Network Cost Recovery Plan, Richard Guitar seconded, Laura Phipps abstains, and the vote was

unanimous.

PSAP Phase II Committee (David Lucas):

John Patterson reported that David was meeting via conference call with a NENA committee regarding Phase II issues and was not present to provide a report at this time.

Engineering Recommendation Committee (Richard Guittar):

The committee met via conference call this week the jist of which was a series of questions of how to come up with recommendations for the Board regarding trunking and engineering issues.

The committee considered an article written by Russ Russell which recommends some processes and options. Richard will seek NENA's permission to send out copies to PSAPs and Carriers to get feedback and move forward with recommendations.

PSAP Funds Advisory Committee (Dee Hopper):

The committee has not met. Dee has sent an email to the members with Michigan's guidelines as a starting point.

Financial Report (Jennifer Jackson, CPA):

Jennifer notes that the subscriber count for December, 2001 was back up slightly as the graph in the packet shows.

Work on a budget for FY '03 has begun and it was noted that the growth in subscriber count for calendar year 2001 was 24% with the first 6 months showing a 15% increase and the other 9% occurring in the last 6 months of the year.

Jennifer noted that budget numbers are nearing final and that even with growth slowing the administrative budget over the next 3 years looks fine.

Jennifer will meet with Terry Thompson, the Executive Director of GOT Administrative Services to work out requests for appropriations for FY '03 and '04.

A Carrier has requested to recover funds that were paid to the CMRS Board in error and should have been paid to another state. They will recoup the funds from future payments. The issue amounts to about \$ 9,000.00.

The Telcordia Course has been scheduled for May 22nd and 23rd. Jennifer has negotiated with Telcordia Technologies to include 10 paid positions in the contract price of \$11,295.00 plus instructors' expenses.

Jennifer will get firm commitments from Board members re: their attending the Telcordia class.

John expressed his belief that Jennifer should attend the class to further her education and other board members were in agreement. John Patterson motioned that the Phase II committee be invited to attend at the Board's expense. Richard Guittar seconded the motion and the vote was unanimous. This together with board attendance will likely fill all 10 initial slots included in the contract.

The Board was in agreement that the class be held at the Administrative Office of the Courts facility and provide lunch.

John will send an email to PSAPs and Carriers with registration form for their payment to be sent directly to Telcordia on a first come first serve basis.

The Organization chart has been updated.

Jennifer thanked Laura Phipps and Michael Huffman, from East KY Network (EKN) for submitting payments through the EFT site. The site is currently down for some changes due to some difficulties with the transmissions from EKN it is hoped that the changes will be made and the site back in production by April 7th.

Administrators Report (John Patterson):

GOT has submitted a proposal to revise the EFT program to allow for carriers to submit their quarterly subscriber by zip code reports through that system for security purposes. The proposal cost is \$18,360.00. John noted that he intends to reject this proposal. John will look into software for receiving encrypted files.

John motioned to approve cost recovery invoices for VoiceStream and American Cellular in the aggregate amount of \$36,700.28, Richard Guittar seconded and the vote was unanimous.

John gave provided justification for hiring a new employee as an Executive Secretary II. He gave the position description and proposed work. The discussion included the fact that the office has been using summer interns and temporary staff to attempt to provide the support needed; this is expensive; and turnover is such that consistency in quality or follow through is difficult. There was a lengthy discussion Board members regarding workload, duties, and finances.

- John motioned that the Board approve a position for Executive Secretary II. Richard Guittar seconded.. Forest stated that he would prefer to wait until David Lucas and Col. Lile are in attendance to proceed. John stated that it would be very helpful, if we could get someone quickly. Dee suggested hiring another temporary. John felt another temporary only continues the problem and we would be better off to wait for a permanent employee. Dee called the question.
- The motion received 3 yes votes, John Patterson and Rob South abstained, there were none opposed, the motion carried.

John reports that the audit report should be received by next meeting. Jennifer has identified another \$504.00 interest that should be credited to CMRS accounts. An RFP is underway for the

next audit.

John and Jennifer met with the Attorney General's staff regarding the Open Records appeal and a response is due by May 3rd.

A second open records request has been received from Richard Bartlett. There was a discussion regarding the confidentiality of the information and what is needed by the PSAPs. John Patterson recommended the denial of the request from Mr. Bartlett. Rob South motioned to deny Richard Bartlett's request. Richard Guittar seconded. There was a lengthy discussion regarding use of confidential subscriber information. Dee Hopper called for the questions. The Vote was unanimous.

John reported that HB634 was signed by the Governor yesterday.

The FCC visit will be held in conjunction with the KENA/APCO conference. Denisa Davidson commented that KENA/APCO has planned for the FCC representative to give a keynote speech on phase II during a luncheon and the next 2 session will be provided for questions and discussion.

Equity Study Project Design (Ron Meadows):

Ron presented the design of the equity studies and reported that he has visited 9 PSAPs to validate the study design. Also he conducted a series of conference calls, which included representatives from all but 8 PSAPs. The calls were designed to give all PSAPs some input to the design of the study. Most PSAPs indicated that they would prefer the total costs of operating a center be considered and not just the wireless portion.

Ron will meet with Telco's next week for input to the studies.

Ron discussed an idea to poll cell phone users at rest stops during his study.

In April Ron will begin visiting PSAPs to gather information.

There was a lengthy discussion regarding the design of the study. Denisa Davidson voiced concerns, indicated that the KSP will not be able to meet the April 1 deadline for starting and questioned the validity counting wired calls.

John gave a background of the problems with call counting and stated that if the Board needs those numbers to establish a baseline as wireless grows in order to judge its impact on center costs. Rob South suggested installing boxes to count and possibly doing this on a sample basis. Mary McCormick from Bell South stated that those boxes are already located in many areas but would require some sort of installation to begin actual counting of calls.

There was much discussion as to the validity of call count numbers that would be reported. John Patterson will investigate the cost of installing and obtaining sampling of call counts from black box method.

John mentioned the NENA Conference is in Indianapolis in June. The Board has historically reimbursed members for expenses.

Forest Skaggs stated that the Wireless Industry appreciated the Boards securing the passage of HB634.

Denisa Davidson announced that the KENA/APCO quarterly meeting will be on April 10th and there will be a 700 megahertz meeting prior to that meeting at the Pritchard Center in Elizabethtown.

Richard Guittar motioned to adjourn the meeting at 4:15 PM John Patterson and Dee Hopper seconded.

The next meeting is scheduled for April 25, 2002 at the CMRS Board offices.

CMRS Board Meeting

February 28,2002

CMRS Board Office 21 Millcreek Park

Board Members Present:

Richard Guittar, David Lucas, Dee Hopper, John Patterson, Laura Phipps,

Jennifer Jackson (staff)

Chairman Guittar called the meeting to order at 11:09AM. Dee Hopper made a motion to begin closed session. David Lucas seconded the motion and the vote was unanimous.

Board Members Present: (joined the meet following the closed session) Col. John Lile, Forest Skaggs

Guests Present: (joined the meeting following the closed session) Bronda Galbraith, Beverly Harbison, Mary McCormick, Ron Meadows, Ron England, Sam Bard, Ron Porter, Dick Bartlett, Rob South

Dee Hopper made a motion to end the closed session at 1:10PM. David Lucas seconded the motion and the vote was unanimous.

Welcome and Introductions:

John Patterson introduced Rob South who has been nominated to the Board. John commented that the nomination has been made and is in the Governor's office for final action. John also introduced Ron Meadows who is the contractor who has been hired to complete the legislative studies of PSAP equity issues. At this point all those in attendance introduced themselves.

Approval of 01/24/02 Minutes

Richard Guittar recommended that on page two the sentence referring to the board's "feelings" should be deleted. There was a short discussion of the minutes. Dee Hopper made a motion to approve the minutes as amended. Col. John Lile seconded the motion and the vote was unanimous.

Approval of 01/31/02 Conference Call Minutes

Dee Hopper was not present during the call and her name should be removed from the list of attendees. On page 2 the bullet questioning who made motions should be deleted, as motions referring to adjournment. Richard Guittar made a motion to approve the minutes as amended. John Patterson seconded the motion and the vote was unanimous.

PSAP Certification Committee (Forest Skaggs):

The Committee will meet via conference call regarding the Beatyville/Lee county application for presentation at next meeting.

Cost Recovery Committee (John Patterson):

The Committee has not met, East Kentucky Network plan detail has not been received. The Committee will meet via conference call next week.

PSAP Phase II Committee (David Lucas):

David will sit on NENA's National Phase II committee, and will participate in a conference call with that committee next week.

After the conference call with the NENA's Phase II committee David will schedule a meeting of the Board's Phase II Committee.

2 issues for the National committee that will also be relevant to the Kentucky committee are mapping requirements and a policy for dealing with location based wireless calls and what the PSAP is expected to do.

Engineering Recommendation Committee (Richard Guittar):

The committee met via conference call and discussed what they expect to accomplish. A few action items were identified. John Patterson needs to send trunking information to Richard.

Financial Report (Jennifer Jackson):

The workload disbursement that was due to go out on February 1 will likely be made within the next couple of weeks. The inconsistent information from a few carriers that has been revised appears to have corrected most of the problem. There is still a question with one carrier.

There was a discussion regarding subscriber fluctuations. Forest commented that he has been involved with a legislative bill for which wireless growth is an issue and the state budget projects a 2% growth of wireless total revenue. Richard noted that as the wireless industry is so competitive that the rates for service have dropped, thus the number of subscribers is growing faster than total revenue.

The organization chart has not been updated to include the CMRS Funds Advisory Committee. Jennifer will have that updated before next meeting.

A checkwriter file has been written to make payments to carriers in the same method that payment is made to PSAP's.

Administrators Report (John Patterson):

Timeline change re: cost recovery regulation change to allow staff to pay invoices. May need to amend the regulation. John will get the relevant portion of the statute and regulation for further discussion on this matter.

Discussion regarding scheduling a Telecordia class to be brought to Kentucky. Jennifer will get more information regarding limited class size, facility requirements, negotiate price for additional students, as well as dates Board members are available to attend.

John commented on how Ron Meadows was selected to perform the legislative equity studies that are required of the Board. There was some brief discussion with regard to the scope of the study as defined in the statute. Ron gave some ideas on how he will begin to conduct the study.

There is still an interest issue with the audit. Jennifer may have identified more interest \$\$ that didn't go to the Boards account.

Kenton County has made an open records request for confidential information. Cam Cantrill agreed that the information is confidential however, he needed something from the carriers stating the competitive harm if the information were to be released. Cingular quickly sent a letter stating the issue and competitive harm. John is not aware of any appeal at this time.

John Patterson made a motion for the Board to approve cost recovery payment of \$35,871.28 to be paid to 3 carriers, American Cellular, Bluegrass Cellular, and VoiceStream for recurring costs. David Lucas seconded the motion and the vote was unanimous.

David Lucas asked if John knew the status of HB634. Forest replied that it is posted for passage today in committee.

John gave some comments about his recent meeting with the FCC. The FCC is 30-60 days from making a ruling on the un-initialized call problem. They invited states to make comments. There was a discussion regarding the carrier's ability to dis-engage the phones service.

John gave a report of carriers Phase I implementation progress. There was some discussion regarding carriers deployment and PSAP's requesting service

FCC will be invited to visit KY for the July 10th KENA/APCO meeting. Forrest Skaggs made a motion that the Board pay expenses for the FCC representative to attend that meeting. Dee Hopper seconded the motion and the vote was unanimous. John will contact FCC to move forward with the scheduling.

The meeting was opened to comments from the floor.

Dick Bartlett commented that he has seen an advertisement that WorldCom is marketing cell phones in his area but they are not licensed there. There was a brief discussion regarding re-sellers.

John Patterson made a motion to adjourn. Dee Hopper seconded the motion. Col. John Lile adjourned the meeting at 2:47.

The next meeting is scheduled for March 28, 2002 at the CMRS Board offices.

CMRS Board Meeting

Special Meeting

January 31, 2002

Conference call

Board Members Present:

Richard Guittar, David Lucas, John Patterson, Laura Phipps, Forest Skaggs,

Jennifer Jackson (staff)

Guests Present:

Carla Campbell, John Garner, Tramell Alexander

Welcome and Introductions:

Richard Guittar called the meeting to order at 2:20 PM.

Unfortunately the 800 number distributed as access to the conference bridge was not functioning. Calls to GOT revealed the problem only after several people were unable to connect. GOT's Les Mulder advised that we use the 502 alternate number. John Patterson sent an email to the entire notification list about the problem and the solution. This problem was likely was the cause of the small number of participants.

Approval of Minutes

- No minutes of previous minutes were reviewed since this was a special meeting called to provide a timely review by the board of HB 634 and the Open Records request submitted by the Kenton County Attorney.

Committee Reports

No committees reported

HB 634

2 years ago the Federal Government passed the Mobile Telecommunications Sourcing Act (MTSA), which is to become effective July 2002. The act's basic premise is to use "place of primary use" as a uniform basis across all states to determine who gets taxes on wireless

communications including roaming, cmrs surcharges, call origination and termination, etc. The primary place of use (PPU), will be designated by the consumer/user. Legislation will be proposed in Kentucky to conform to this U.S. law.

Tramell Alexander with Verizon was on the call to discuss the MTSA legislation and Kentucky's HB634 which is written specifically to comply with the federal statutes. Ms. Alexander explained that this was a federal act signed by President Clinton in 2000. Taxes on roaming are what drove the act, because current processes are confusing to both consumers and carriers. Several other states have passed or are in the process of passing conforming laws. Kentucky's Department of Revenue has been working with several carriers including Verizon to work out the specific language needed in the legislation. Richard Guittar confirmed that Cingular Wireless had also been involved.

The bill is expected to be revenue neutral for the board and the majority of customers will see no material change. The PPU must be residential address or primary business address. The biggest change will be for very large businesses that are headquartered in one state with locations in various states and for the carriers who will have to ask all customers to identify their PPU. Richard Guittar noted that even though carrier will have a lot of work to do, in the long-term billing for taxes and surcharges will be simpler to administer.

The board agreed that it should support this legislation.

Open Records Request

- John Patterson reviewed a request was received two days ago from the Kenton County Attorney for all documentation related to the December 20, 2001 disbursement of workload funds. John has already met with Cam Cantrill, and via phone with Richard Guittar and Laura Phipps.
- Cam agrees that language in the legislation, regulations, and correspondence with carriers and PSAPs clearly indicate that this information has been regarded as confidential. However, Cam advises the board since "confidential" has been applied so often, courts are now requiring that agencies have to demonstrate the competitive harm that carriers will suffer if this information is released.
- As a result of a conference call with Laura Phipps and Richard Guittar shortly after the request was received, Marion Tilson, Senior Counsel from Cingular Wireless sent the board a strongly worded letter citing Cingular's concern with this request; the competitive harm it will suffer if the data is released; and Cingular's intention to ask the courts to enjoin the board to not comply if it agrees to release the data.
- The consensus of the board members present was to direct Cam to respond to the Kenton County Attorney denying the request. All of the board members present agreed that this data could only be released in aggregate form that would not allow identification of any carrier's subscriber numbers.
- John Garner (SunCom) and Tramell Alexander (Verizon Wireless) both requested a copy of

Ms. Tilson's letter. The board directed John Patterson send a copy of the letter (provided she grants her permission) to all carriers along with a brief statement of the issue.

Chairman Guittar adjourned the meeting at 3:35 p.m.

The next meeting is scheduled for February 28, 2002 at the CMRS Board offices.

CMRS Board Meeting

January 24, 2002

CMRS Board Office 21 Millcreek Park

Board Members Present:

Richard Guittar, David Lucas, Dee Hopper, Col. John Lile, John Patterson, Laura Phipps, Forest Skaggs,
Jennifer Jackson (staff)

Guests Present:

Mary Mullins, Dick Bartlett, Mike Marshall, Wendell Hatfield, Shelby Horn, Bronda Galbraith, Marsha Penney,
Pete Clough.

Welcome and Introductions:

Richard Guittar called the meeting to order at 1:07 PM. John Patterson introduced Shelby Horn and Wendell Hatfield.

Approval of 12/13/01 Minutes

- David Lucas commented that on the 2nd page under financial report the dates of PSAP payments has years noted, but payments will be due on those dates every year with the exception of the distribution payment that was made on December 20, 2001.
- Richard asked for clarification on the 1st page regarding the 2nd motion by the PSAP committee, and it was noted that Todd County should be changed to Pennyryle Emergency Assistance Center.
- Richard asked for clarification on what A & R (appropriations and revenue) referred to on the 2nd page under the administrator's report.
- Richard noted that issues such as the comment from the floor regarding misrouted calls might require the board to set up some sort of informational resource to which questions could be referred.
- John Patterson questioned why future-meeting dates did not include all months. David Lucas commented that the dates were set for the first quarter and then the required 1 meeting per quarter for the other three quarters of 2002.

- David Lucas made a motion to approve the minutes as amended. John Patterson seconded the motion and the vote was unanimous.

PSAP Certification Committee (John Patterson):

The committee met did not meet this month.

All of the PSAP's with conditional approval met the requirements and were fully certified by December 30, 2001.

Since last Board meeting John met with representatives from Lee County. They are in the process of submitting their application. Part of the packet has been received.

McCreary County has requested a meeting.

Jessamine County is close to certifying

The Board now has a total of 79 PSAP's certified and 1 in process.

Cost Recovery Committee (John Patterson):

- The committee met today to discuss East Kentucky Network (EKN). The plan still has some pricing issues regarding SALI. The committee has asked EKN to look at this issue and make some revisions. The plan is pending those revisions.
- Sprint has said they will submit plan soon.

PSAP Phase II Committee (David Lucas):

Committee has not met. Two more people have agreed to join the committee and KSP may help. David hopes to get moving with meetings soon.

John Patterson referenced some phase II classes that may be of interest to committee representatives. David will consider this and recommend someone to the Board after the committee is up and running.

Engineering Recommendation Committee (Richard Guittar):

- No report, hope to get moving on this issue soon.

Financial Report (Jennifer Jackson):

The workload disbursement that is due to go out on February 1 will likely be late due to some inconsistent information from a few carriers that would skew the PSAP payments. The payment

will not be made until more information is received from these carriers.

As noted on the graph and the corresponding data page, September receipts took a dip, however, one carrier has reported an additional 52,000 subscribers but has not yet remitted the funds. With the additional subscribers there will still be a dip although only slightly.

The organizational chart has been corrected to include David Lucas as a member of the PSAP Committee.

Administrators Report (John Patterson):

Invoices from 3 carriers, Dobson, Verizon, and VoiceStream, ready to approve. John Patterson motioned to approve 3 carriers for total of \$246,412.77 including \$ 179,148.77 in recurring charges and \$67,264.00 in non-recurring charges. John noted that the recurring charges were for several months catch-up for one of the carriers and not indicative of a normal one month recurring for these three carriers. Richard Guittar seconded the motion and the vote was unanimous.

The audit continues to plod along. No date for completion, more information was requested and sent a couple of weeks ago. Some of the carriers were not able to supply data on months that had been selected so alternate months were selected and more information was required.

The regulations were approved and became effective January 14, 2002.

The vacant board position in past has been filled by a PCS carrier. We have no candidates residing in KY who meet that stipulation. There was a brief discussion regarding any candidates for the position. Richard Guittar will try to generate some contacts with possibilities for candidates.

John has spoken with folks at GOT regarding someone to perform the required legislative studies relating to the distribution methods for workload funds and the funding requirements of rural PSAPs. GOT recommends the use of a company that supplies contractors that the state already has contracts with. The process would be expedited in that this method would not require the issuance of an RFP. John recommends this approach and asked for Board guidance and authority to move forward in this manner. John has already interviewed a potential candidate who has declined the position due to the amount of travel involved. After some discussion David Lucas made a motion that John interview temporary staff to complete the required studies. Richard Guittar seconded the motion and the vote was unanimous.

Two issues with security for zip code reports were reported.

John has contacted GOT for more secure method for receiving data. They will get back to him with information, may be able to tie into the EFT secure web site to transmit the information.

The other issue involves requests for data about workload disbursements. Earlier requests were from PSAPs for # subscribers for their own PSAP which we have

provided. All PSAP's have signed non-disclosure forms that should cover the confidentiality of this information. Some PSAP's are requesting this type of information for the entire state by PSAP. The request was echoed at the KENA/APCO quarterly meeting. John noted KRS 65.7639, which prohibits the release of this information. After some discussion on this issue, David Lucas made a motion that the Board not release the per/sub amount for future workload distributions. John Patterson seconded and the vote was unanimous.

A letter is coming from Cam Cantrill, GOT Attorney, regarding the handling of funds received back from Montgomery County. The funds were from the PSAP Pro-Rata fund and the letter should state that the funds should be re-deposited into that pro-rata portion of the fund and distributed with the next quarter's payment. John made a motion that the Board authorizes Jennifer, upon receipt of the letter from Cam, to re-deposit the funds to the Pro-Rata account. Dee Hopper seconded the motion. After some discussion, the motion was rescinded and John amended the motion to allow Jennifer to deposit the Montgomery County funds back into CMRS accounts as directed by Cam's letter. Dee Hopper seconded the motion and the vote was unanimous.

2 years ago the Federal Government passed the Mobile Telecommunications Sourcing Act (MTSA), which is to become effective July 2002. The act's basic premise is to use "place of primary use" as a uniform basis across all states to determine who get taxes on wireless communications including roaming, cmrs surcharges, call origination and termination, etc. The primary place of use (PPU), will be designated by the consumer/user. Legislation will be proposed in Kentucky to conform to this U.S. law. John recommended a call to Turmell Alexander with Verizon to discuss the Act.

Since a couple of Board members were leaving early, the discussion of the MTSA was put on hold while other business was handled.

Richard Guittar opened the floor for nominations for Chairman of the Board. Dee Hopper nominated David Lucas who declined the nomination. David Lucas nominated Col. John Lile, who also declined the nomination. Col. Lile nominated Richard Guittar; John Patterson seconded the nomination. Dee Hopper motioned to close the nomination and John Patterson seconded the motion. Richard Guittar is Chairman of the Board, since there were no other nominations. Richard opened the floor for nominations for Vice Chairman, Dee Hopper nominated Col. John Lile. Richard seconded the motion. David Lucas made a motion to close the nominations. Dee Hopper seconded the motion. Col. John Lile will be the Vice-Chairman.

Retreat Timeline

The Board will have an executive session before the next meeting to do the Administrator's performance review.

Use of 911 funds overview, there was some discussion on how far to go with guidelines for PSAP's use of funds, a committee was formed to investigate legislature issue regarding wired funds/wireless funds and to develop recommended guidelines for PSAP's. John Patterson recommended Dee Hopper as Chairman of the committee, she accepted. Others who volunteered to sit on the committee are Dick Bartlett, John Patterson, Marsha Penney, Mary Mullins, and Shelby Horn.

De-certification review process is in the PSAP committee.

Discussion regarding resellers and pre-pays to be on next agenda.

Statewide meeting for FCC presentation, John will ask wireless FCC representative to attend an KENA/APCO meeting, possibly in July. John will find out if travel expenses are requested from FCC.

Other issues mentioned were a process to identify new carriers and drafting and adoption of model PSAP Standard Operating Procedures, (SOP).

At this point John made a call to Turmell Alexander with Verizon, to discuss the MTSA. Ms. Alexander explained that this was a federal act signed by President Clinton in 2000. Taxes on roaming are what drove the act, because current processes are confusing to both consumers and carriers. They are now trying to get state conforming laws, and are currently trying to workout language with Department of Revenue with Kentucky. The federal law covers all transaction and fees on cell phone bill, which includes the E-911 fee. The majority of customers will see no material change. The PPU must be residential address or primary business address. The biggest change will be for very large businesses that are headquartered in one state with locations in various states. Some examples were given.

There was some discussion and the Board agreed to read and digest the proposed legislature and attend a conference call to discuss sometime late next week. John Patterson will set up conference call.

Richard Guittar opened the meeting for comments from the floor.

Shelby Horn expressed concern that the Board by setting guidelines for use of CMRS funds for PSAPs may be "policing" the counties but was not policing carriers in same manner. She questioned why make guidelines as she feels the statute lays out the use of funds. John explained that he is getting numerous questions from counties asking for guidance and that the guidelines are only what the Board interprets as being appropriate uses of the funds. The audit every two years is the real oversight. It was further discussed that the Carriers must submit cost recovery plans to be approved by the Board and any diversion from that plan would require revision and approval by the Board.

Mike Marshall inquired as to information that would be required of PSAPs for the cost study. Would the information be sent to the CMRS office or would the person hired to do study come on-site to the PSAP. John Patterson commented that the person contracted to do the study would present to the Board a design of concepts and plan for the study and once approved, he or she would work directly with the PSAPs.

Mike Marshall commented that city council asked question regarding \$ per subscriber in effort to determine how many citizens had cell phones, and what he should tell them since he is bound by the non-disclosure statement. There was some discussion regarding trends and % coverage over the state. The information is confidential and should be used only for budgeting. The Board recognizes it cannot control who attends open meetings of fiscal courts etc.

Laura Phipps made a motion to adjourn at 3:45PM. Dee Hopper seconded the motion and the vote was unanimous.

The next meeting is scheduled for February 28, 2002 at the CMRS Board offices.

CMRS Board Meeting

December 13, 2001

CMRS Board Office 21 Millcreek Park

Board Members Present:

David Lucas, Doris Hopper, Col. John Lile, John Patterson, Laura Phipps (via conference call), Forest Skaggs,

Jennifer Jackson (staff)

Board Members Absent:

Richard Guittar

Guests Present:

Steve Dooley, Mary Mullins, Denisa Davidson, Dick Bartlett, Allen Muse, Mitch Mitchell, Fred Rogers, Mike Marshall, Beverly Harbison, Danny Spears

Welcome and Introductions:

David Lucas called the meeting to order at 1:17 PM. He made some brief comments about the Board's retreat and asked that guests save their comments until the end of the meeting at time specified for them to speak.

Approval of Minutes

- 9/27/01 Minutes: Col. John Lile made a motion to approve the minutes. John Patterson seconded; the vote was unanimous.
- 11/07/01 Minutes: Dee Hopper made a motion to approve the minutes. Col. John Lile seconded; the vote was unanimous.

PSAP Certification Committee (David Lucas):

The committee met at noon today and makes the following motions.

That the CMRS Board fully certify Simpson County, which has complied with the documentation deficiency regarding its generator. The Committee further recommends that the Board express its concern that the 5KW generator used by Simpson

County is very small and should be upgraded to provide additional capacity in the event of a power failure. Col. Lile seconded the motion and the vote was unanimous.

That the Board fully certify Todd County if additional TDD unit purchased by December 30, and give John ability to certify. Patterson seconded the motion. Upon further discussion, David Lucas made a motion to rescind the motion and restate the original motion, John Patterson seconded and the vote was unanimous.

That the Board fully certify Todd County, which by purchasing an additional TDD unit has fully complied with the Board's requirement of 1 TDD for each call taker position capable of receiving 911 calls. John Patterson seconded the motion and the vote was unanimous.

That the Board conditionally certify the Pennyrile Emergency Assistance Center for CMRS Funds provided it acquire an additional TDD unit before December 30 and provide documentation of the acquisition prior to that date, and further, that John Patterson be extended the ability to decertify without further action by the Board if this acquisition is not made by December 30. Doris Hopper seconded the motion and the vote was unanimous.

That the CMRS Board fully certify Pendleton County which is now operating a fully enhanced 911 center and is capable of receiving wireless Phase I calls. Doris Hopper seconded the motion and the vote was unanimous.

That the Board fully certify Adair, Barren-Metcalf, Hardin, Larue, Laurel, Perry, Rowan, Morgan, Green, and Allen Counties which are now capable of receiving wireless Phase I calls. Doris Hopper seconded the motion and the vote was unanimous.

That the Board continue the conditional certification of Boyd, Lawrence, Fleming, Estill, and Monroe Counties until the December 30, 2001 deadline. If by that date, any PSAP has been inspected by John Patterson and, in his opinion, is able to receive Phase I wireless calls, its certification shall be converted to full certification without further action by the Board. Doris Hopper seconded the motion and the vote was unanimous.

Cost Recovery Committee (John Patterson):

- The committee has not met since the last Board meeting. The only application that is still in progress is East Ky LCC, and all information requested from them has not yet been received.

- Laura Phipps said that it had been sent and she would forward it again.

PSAP Phase II Committee (David Lucas):

Six people have been contacted and agreed to begin meeting after the holidays.

Engineering Recommendation Committee (Richard Guittar):

- No report

Financial Report (Jennifer Jackson):

David Lucas noted that his name was left off of the PSAP Certification committee on the Organization chart.

The PSAP distribution from the workload fund will be \$4.04 per subscriber. The distribution is set for December 20, 2001.

Dates for PSAP payments from Pro-rata fund are 2/15/02, 5/15/02, 8/15/02, and 11/15/02.

Dates for PSAP payments from Workload fund are 12/20/01, 2/01/02, 5/01/02, 8/01/02, and 11/01/02.

Administrators Report (John Patterson):

Invoices from 3 carriers ready to approve, we have one invoice in question

Motion to approve 3 carriers for total of \$66,250.89. David Lucas seconded the motion and the vote was unanimous.

Audit is coming to conclusion, the contract with Crowe/Chezik required renewal because of state policy regarding the new fiscal year. The Board should receive the completed audit report in the next month or two.

Administrative appropriation to capture the surplus funds was approved by A&R in October.

The review committee met on Tuesday December 11, 2001 and approved 202 KAR 6:070 PSAP Workload Fund disbursement and 202 KAR 6:080 CMRS Surcharge Remittance and Reporting. One change on the PSAP Workload Disbursement regulation increased the time allowed to calculate the "value per subscriber from 60 days to 90 days since carrier reports on subscriber numbers are not due until 60 days after the end of the quarter

A temporary clerical assistant has been retained to help complete and update the Carrier license database. She has printed maps showing RSA, BTA, MTA, and MSA's, and is going through list of applications for KY and printing licensing showing who actually holds licenses in order to update the database.

The Retreat timeline has not been completed, apology to the Board

David Lucas inquired as to estimate of funding to PSAPs in future workload distributions. Jennifer Jackson reported that each subscriber would be worth approximately 50 cents per quarter.

David Lucas asked Board members for comments or questions.

Dee Hopper commended the PSAPs and Carriers who were able to get certification requirements completed by deadline and wished all a Merry Christmas.

David Lucas asked that a list of Carrier Contacts and PSAP Contacts with 24/7 #'s be compiled. Staff will compile this information.

Laura Phipps inquired of John Patterson if the information concerning new licenses that she had forwarded to him was useful. John reported that this specific list didn't have relevance for Kentucky, but the information would be useful when Kentucky licenses were involved. Laura will continue to forward the information to John.

David Lucas commented that the information regarding # of subscribers could be gotten from John Patterson or Jennifer Jackson, however there is a lot of proprietary information contained in these #'s and the PSAP's should help guard that information.

John Patterson stated that he would like for the Board to write some criteria for releasing this information and cautioned the PSAP's that the non-disclosure statements that they have signed covers this sort of information. John further stated that the Governor's office is asking for subscriber #'s for eastern Ky.

Col. Lile commented that Cam Cantrell may need to be involved in the decision to be sure that the Board complies with the Open-Records law.

David Lucas commented that the Board needs input from carriers, specifically Richard Guittar and Laura Phipps.

David Lucas opened the meeting for comments from the floor.

Mike Marshall from Fleming County thanked the Board, John and Jennifer for help in getting certified. Reported their 911 trunks were installed and they are testing and next week should be taking live calls. He also asked for guidance on what to do about calls he is receiving from interstate 64, which is out of his area. He was advised that it could be a bad ESN, and he should make sure it is not miss-routed.

Fred Rogers reported that Estill County had been postponed but would be testing on 20th and switch over on the 21st.

Danny Spears expressed thanks to the Board, and gave an update that their center is now live. He also asked about getting call #'s for County's in KY. Dee Hopper sent out a tele-type to all PSAPs to get the #'s, she is still compiling and will send out when it is complete.

Dick Bartlett introduced Mitch Mitchell from Louisville's staff, and gave an update on Louisville's Phase II program stating that they have had 1st meeting and hope to be up and running by end of 2002.

David Lucas commented that Fayette County has scheduled a Phase II meeting for December 18th.

Dee Hopper noted some problems that PSAP's have with un-initialized phones and that the carrier that appears on screen is not always the carrier, it may be the tower carrier.

John Patterson commented that PSAP's need to understand that the receipt of these is a good time to get some attention from the press: to let them know that you have gotten these funds for your counties; and to talk about the problems such as un-initialized phones and 1 button dialing problems

Dick Bartlett commented that the Press would want #'s and examples of these calls.

Dee Hopper motioned to adjourn at 2:00PM, Col. Lile seconded the motion.

David Lucas rescinded the motion to set dates for future Board meetings as follows:

January 24th, February 28th, March 28th, April 25th, July 25th, October 24th.

A new chairman will be elected at the January meeting.

John Patterson made a motion to adjourn at 2:05 PM, Dee Hopper seconded the motion and the vote was unanimous.

The next meeting is scheduled for January 24, 2002 at the CMRS Board offices.

CMRS Board Meeting

November 7, 2001

Conference Call

Board Members Present:

Richard Guittar, Forest Skaggs, Laura Phipps, Dee Hopper, John Patterson, Jennifer Jackson (staff)

Guests Present: Carla Campbell (Ms. Campbell called in but upon hearing the agenda decided not to participate.)

Welcome and Introductions:

Chairman Richard Guittar called the meeting to order at 11:13 AM.

Cost Recovery Invoices

John Patterson made a motion to approve payment of Cost Recovery Invoices in the amount of \$ 762,023.87. Richard Guittar seconded the motion and the vote was unanimous.

Carrier Zip Code Data:

- The board discussed the issue that a couple of carriers were having trouble getting zip code data for June but were able to provide the data for September. Due to circumstances such as merging of companies and June billings prepared by outside vendors who were no longer associated with the newly merged company, the information may take a long time to provide. Since the funds that are being distributed are for such a long period of time and September data would not be that different from June, in the interest of time and getting the funds to the PSAPs in a timely manner, September data could be acceptable.
- John Patterson made a motion that September zip code data be accepted for carriers that were unable to submit June data. Dee Hopper seconded the motion, Laura Phipps abstained from the vote and the motion carried.

Richard Guittar provided brief information regarding Phase II readiness and FCC waivers/orders.

Richard Guittar motioned to adjourn at 11:37 AM, John Patterson Seconded.

The next meeting is scheduled for December 13, 2001 at the CMRS Board offices.

CMRS Board Meeting

September 27, 2001

KENA/APCO Conference Executive Inn, Owensboro

Board Members Present:

Richard Guittar, Forest Skaggs, David Lucas, Laura Phipps, Col. John Lile, John Patterson, Jennifer Jackson (staff)

Guests Present:

Bronda Galbraith, Marsha Penney, Marilyn Reed, Jake England, Sandy Ott, Mary Allender, Carla Campbell, John Conley, Jeff Pack, Mike Marshall, Ray Cox, Larry Williams, Ron England

Welcome and Introductions:

Chairman Richard Guittar called the meeting to order at 1:05 PM.

There was a welcome and the Board members introduced themselves.

Approval of Minutes (08/23/2001 meeting):

- David Lucas commented that on Page 2 under Issues, the reference to Phase 0/Phase I issues should have listed as assigned to the PSAP committee not the PSAP Phase II Requirements Committee.
- David Lucas motioned to approve the minutes as amended. John Patterson seconded and the vote was unanimous.

PSAP Certification Committee (Forest Skaggs):

- The committee met three times since the last board meeting. It considered 4 new applications, and discussed at length those PSAPs subject to decertification that have not complied. Due to extenuating circumstances, including the recent terrorist attacks having caused scheduling difficulties, the committee recommends that the de-certification date be deferred to year's end. The committee expects the PSAPs to be fully compliant by December 30 or lose the fourth quarter payments. David Lucas thanked the PSAPs for working toward the September 30 deadline. John Patterson reiterated that the December 30 date is firm.
- The floor was open for questions or comments. Several people thanked the Committee for the

extension.

- Forest Skaggs made the following motions:

- The Board certify that the following PSAP is eligible to receive funds based on its application submitted pursuant to our rules and regulations: Madisonville-Hopkins County Sheriffs Office. David Lucas seconded, and the vote was unanimous.

- Because the following PSAPs have satisfactorily completed the 60 day audit, the Board fully certify that they are eligible to receive funds based on their completed applications submitted pursuant to our rules and regulations: Cynthiana-Harrison County, Hancock County, Paris-Bourbon County, Whitley County. Col. Lile seconded and the vote was unanimous. These are 4 of the 19 PSAPs that were conditionally certified.

- Because the following PSAPs have made satisfactory progress toward becoming Phase I compliant, their current de-certification date be extended to December 30, 2001. Absent further Board action, de-certification will automatically occur if any of these PSAPs have not become fully capable of receiving Phase I calls on December 30, 2001. Adair County, Barren-Metcalf Counties, Boyd County, Estill County, Fleming County, Greensburg/Green County, Hardin County, LaRue County, Lawrence County, London-Laurel County, Monroe County, Morehead/Rowan County, Pendleton County, Perry County, West Liberty/Morgan County. Laura Phipps seconded and the vote was unanimous. The PSAPs are still to send in 60-day audits. John Patterson said if after the December 13th board meeting, a staff audit found that a PSAP became compliant before the December 30th deadline, it would not be decertified.

- The Board certify that the following PSAPs are eligible to receive funds based on their applications submitted pursuant to our rules and regulations conditioned on their completion of proposed plans and staff audit. If the staff audit determines that the plans were not completed by December 30, 2001, these PSAPs would be automatically de-certified to receive additional funding. Simpson County, Todd County. David Lucas seconded. Forest Skaggs explained these are 2 of the new applications that were reviewed recently and were sufficient to recommend conditional approval. The Board has previously granted conditional certification for PSAPs in this situation. The vote was unanimous.

- The Board decertify on December 30, 2001, Scottsville-Allen County that has been previously approved under a 60-day review,

if it is not fully capable of receiving Phase I calls on December 30, 2001. John Patterson seconded. Forest Skaggs explained that we approved this PSAP on August 2nd. The original 19 PSAPs subject to de-certification were approved in December of 2000. What this motion does is get this PSAP on the same schedule subject to decertify under the same terms as the others remaining on the conditionally certified list. John Patterson said the PSAP expects this motion. The vote was unanimous.

- John Patterson motioned to decertify Mt. Sterling-Montgomery County based on their request. David Lucas seconded. This County has voluntarily returned all funds that they have received from the Board. The vote was unanimous.
- There was a discussion as to whether the Board could receive the funds back from the PSAP and if so how the funds should be handled according to the statute. Jennifer Jackson reported that the funds received back from Montgomery County have been placed into the CMRS holding account until the Board decides how to handle the issue. The Board suggested that the issue be referred to Cam Cantrell for investigation.

Cost Recovery Committee (John Patterson):

- The committee has met a couple of times since the last board meeting.
- John Patterson motioned to approve Dobson Cellular's cost recovery plan. Richard Guittar seconded and the vote was unanimous.
- TSI with whom East Ky Network, LLC. (EKN) has contracted asked that the committee separately review the connection costs charged by TCS (in the provision of a data network for PSAPs using SALIs) which have significantly inflated the cost of EKN's cost recovery plan. The Board has previously agreed not to subsidize the SALI PSAPs in a way that is not also provided to the PSAPs using off-site data systems. The committee found that these costs are also being submitted in other carrier plans that have already been approved which enjoy a broader base and, therefore did not attract special scrutiny. The committee also agreed that to not approve them EKN's plan would be to limit EKN's freedom to chose its business partners. Therefore, the committee decided to allow the costs. The EKN plan is substantially satisfactory and will be submitted for full approval soon.
- Cingular submitted an addendum to their cost recovery plan covering the northern Ky. The rules are that if it doesn't change the overall plan it is compliant. John Patterson motioned to approve the addendum to Cingular's plan. David Lucas seconded and the vote was unanimous. Richard Guittar abstained as a Cingular employee

PSAP Phase II Committee (David Lucas):

The committee has not met but will begin meeting in October. David has discussed the committee with a lot of people and will give an update at the next meeting.

Engineering Recommendation Committee (Richard Guittar):

- Richard Guittar reported no action by this committee.
- David Lucas asked for a clarification of the purpose of this committee. Richard explained that it is a committee to recommend basic criteria for network designs and trunking capacities.

Financial Report (Jennifer Jackson):

- Aldona Valicenti, signed the CMRS request for an administrative appropriation increase on September 17, 2001 and has been sent to GOPM for review. No timeframe for when this will be final.
- The EFT program is complete and ready for production. Notices and instructions will be sent to carriers soon. The goal is to have all carriers using it by the end of the year.
- The status of the audit has changed very little and there is still no estimated time of completion.
- The # of subscribers continues to grow as the graph on page 3 of the handout indicates.
- The summary of all accounts is on page 5 of the handout.
- PSAP pro-rata disbursement for the third quarter is estimated at \$7,600 - \$ 8,400 dependent upon cash receipts anticipated through the end of September.
- The estimate for the volume distribution using the June 30 subscribers as remitted is \$4.15 per subscriber. The exact value cannot be determined until all carrier zip code reports for June have been received.

Administrators Report (John Patterson):

- John Patterson motioned to approve cost recovery invoices for American Cellular and Verizon, totaling \$ 45,453.32. Laura Phipps seconded and the vote was unanimous.
- The EFT program was approved by the board in June of 2000. John Patterson commented that it made little progress the first several months. He commended Jennifer Jackson and Jeff Howard (GOT) for getting the project moving again, noting that the real progress occurred in the 6 months after they were assigned to it
- Although most PSAPs have responded to the zip code requests, several carriers have not reported. Calculations for the workload disbursements cannot begin until all carrier reports are received.

- Some carriers have submitted zip codes that were not in the board's zip code database. Payments will be made only on those that can be verified as KY zip codes. New zip codes that are split between PSAPs will have to be sent out to the involved PSAPs for agreement on the proper split. PSAPS are urged to respond quickly, as this will slow the process of distributing these funds.
- Zip codes that cannot be identified as a valid code will be omitted from the calculation as long as it is less than a 1% error rate for the subscribers reported by that carrier. The Board agreed this was a reasonable error rate.
- November 21, 2001 will be the hearing dates for regulations. If anyone plans to comment, they should notify the board no less than 5 business days before the hearing date. If no notice is received the hearings will be cancelled.

Retreat:

There was a discussion of the proposed agenda for a board retreat in October. The proposed agenda was included in today's meeting packet. John Patterson noted that the retreat is not an official meeting and no business will be conducted.

Other Issues:

- Richard Guittar noted that Dee Hopper was not present due to death in family and asked that she be remembered in our thoughts.
- There was a lengthy discussion regarding making the Boards meetings available via conference call. John Patterson presented some options. Some board members were supportive of offering the service but at no cost to the board. Others were in favor even if it meant some expense to the board. The issue was left that the meetings are posted well in advance and those who wish to attend would have to decide if they wanted to attend.

Forest Skaggs motioned to adjourn at 2:45 PM, David Lucas Seconded.

The next meeting is scheduled for December 13, 2001 at the CMRS Board offices.

CMRS Board Meeting

August 23, 2001

CMRS Board Office

(approved as amended at the 9/27/2001 CMRS Board meeting)

Board Members Present:

Richard Guittar, Forest Skaggs, David Lucas, Dee Hopper, Laura Phipps, Lt. Col. John Lile, John Patterson, Jennifer Jackson (staff)

Guests Present:

Bronda Galbraith, Marsha Penney, Fred Armstrong, Carla Campbell, Darrell Mason, Eddie Lambert, Sandy Virgin, Doug Wylie, Steve Pennington, Brenda Williams, Ron Householder, Greg Gay, Mary McCormick, Fred Rogers, Dick Bartlett, Denisa Davidson, Mike Marshall, Mary Mullins, Dana Murphy, Tom Sturtevant, Beverly Harbison, Danny Spears, Doug Sanders.

Welcome and Introductions:

- Chairman Richard Guittar called the meeting to order at 1:05 PM.
- There was a welcome and introduction of New Board Members, and introduction of all Board Members.

Approval of Minutes:

Richard Guittar noted omission of request by the Board that the PSAP Certification Committee was to make recommendation to the Board regarding what to do about de-certification deadline issues. There was a brief discussion as to what was requested from the PSAP Committee. John Patterson noted that the PSAP committee had not met and Forest Skaggs indicated that the committee would give final review and recommendation at the September meeting of the Board. Richard Guittar made a motion to approve the minutes as amended, David Lucas seconded the motion and the vote was unanimous.

Retreat:

Richard Guittar introduced Doug Wylie who is a facilitator with GOT that had been asked to speak to the board about a possible retreat. Mr. Wylie wanted to get a clear understanding of what outcomes the Board would expect from a retreat. After a lengthy discussion of different Board members views and expectations two outcomes were stated.

- An agreed upon Mission/Vision Statement
- Long range goals and future direction of the Board.

Mr. Wylie will e-mail agenda to John Patterson to distribute to Board. Tentative dates are set for October 25 & 26 at Cumberland Falls State Park.

PSAP Certification Committee:

Forest Skaggs noted that the PSAP Committee had not met.

John Patterson gave updates as to recently received or expected applications as follows:

- Caldwell sent single application page but no other materials submitted to date.
- John Patterson called Simpson County, they informed him that they sent their application by certified mail on June 28th. The return receipt noted some J. Gatewood as having received the package. We do not know who where the package was routed but it did not reach the CMRS office.
- John Patterson requested yesterday that both Caldwell and Simpson Counties overnight their applications but they have not yet arrived.
- Nelson County has not completed application and Garrard County has not returned calls so their status is unknown.

There was a discussion as to when a PSAP Committee meeting would take place, no definite time was set.

Cost Recovery Committee:

- John Patterson noted that no new applications have been received.
- Dobson is still pending.
- Cingular sent addendum to implement service in another area, this will be brought to Cost Recovery Committee.
- Still waiting for East Ky. Network application. There was a discussion regarding TSI waiting for information from Telco's. TCS costs for on-site data base systems seem high if all TSI has is Eastern Ky. LLC, but if other carriers were included the cost would spread.
- Currently 5 carriers have Board approved Cost recovery plans: Cingular, Voicestream, Tritel, Bluegrass Cellular and Verizon. (During meeting only 4 of these were identified with Bluegrass Cellular mistakenly left out).

Financial Report:

- Administrative Budget still in process of getting the appropriation increased.
- EFT up-date, some testing has been completed and the one major issue raised was that Anexasys was submitting an un-balanced file to Farmer's bank which would not tell them which account to deposit the funds into. This is being addressed and the program change could be at the Board's expense.
- Audit up-date, Crowe has completed fieldwork on 3 carriers, 2 carriers have referred new contacts and have not supplied any information at this time. Crowe has selected samples and expects the detail by mid to late September for 2 carriers. Crowe has the information to select a sample from 1 carrier. Crowe was to review information to select a sample for 1 carrier on August 20th. There is still no expected completion date.
- David Lucas encouraged PSAP's to set up separate accounts for CMRS funds so that

when PSAP's are audited the information will be more readily available for auditors.

- June final administrative statement is in packet for comparison with the un-official statement presented at last meeting.
- Pro-Rata payments of \$9,790.62 per PSAP were distributed to 74 certified PSAPS on August 15th.
- July account summary shows total of all accounts at \$16,651,859.04.

Administrator's Report:

- John Patterson made a motion to approve 1 cost recovery invoice for a total of \$30,358.43, Richard Guittar seconded the motion, and the vote was unanimous.
- Progress of Conditionally certified PSAPS; John Patterson's review is that they are working diligently to meet deadline.
- On-site PSAP's have requested that Verizon install trunks.
- TCS reports that virtually all have signed agreements for data circuits.
- Monroe County cited a recent Courier Journal article as concern that technology they would be buying will be obsolete in near future and requested information before ordering data circuits. John Patterson has sent letter to explain the article.
- Pendleton and Harrison Counties assure they will cut over to fully enhanced service by early September. They are both currently doing call-through testing.
- Boyd County is confident that they will be ready the 2nd week of October to 1st week of November for fully enhanced 911.
- John Patterson's impression is that Fleming and Lawrence Counties will not be ready until close to end of year.
- John Patterson noted that he has had conversations with Legislators, among others regarding the September 30 deadline, Forest noted that he has also received several calls.
- John Patterson gave brief up-date of status of received zip code reports from both PSAP's and Carriers.
- John Patterson noted that the web-site has been up-dated and is continuing to be updated.
- There was a discussion regarding a conference bridge for board meetings. The Board asked John Patterson to investigate conference call options and report to the Board.

Issues:

- De-certification of PSAPS to be addressed by the PSAP Committee.
- John Patterson notes that the Board needs to review rules for certification of new PSAP applications.
- Denisa Davidson asked what would be required of PSAPs for Phase II.
- A PSAP Phase II Requirements Committee was created: David Lucas was named Chairman of the committee and Dee Hopper and Col. Lile will serve. Other members will be assembled as the committee determines is appropriate, with input from network and wireless

representatives as well as large and small PSAPs.

- The committee should establish minimum standards for PSAPs to remain certified in Phase II
- The committee will address phase 0/Phase I issue of accepting Phase 0 calls or being Phase 1 ready. ***(as amended at the 9/27/2001 CMRS Board meeting – This assignment was to the PSAP Committee not the PSAP Phase II Requirements Committee as stated above)..***
- An Engineering Recommendation Committee was created: Richard Guittar was named Chairman of the committee and Laura Phipps, Forest Skaggs and Mary Mullins will serve as members.
 - The committee will make a recommendation re: traffic information for Carriers/PSAPs.
- Expansion of statewide 9-1-1 network discussion deferred to retreat.

Regulations:

- David Lucas made motion to approve the Notice of Intent/Statement of Consideration for 202 KAR 6:070E, PSAP Workload Disbursement, Dee Hopper seconded the motion and the vote was unanimous.
- David Lucas made motion to approve the Notice of Intent/Statement of Consideration for 202 KAR 6:080, CMRS Surcharge Remittance and Reporting, John Patterson seconded the motion and the vote was unanimous.
- There was a discussion regarding 202KAR 6:080 Surcharge Remittance and Reporting regulation. John Patterson discussed what the regulation says, as follows: Carriers will make remittance according to manner selected by the Board, Carriers will remit subscriber counts by zip code quarterly, as well as reporting quarterly any resellers and their reseller contact information, the regulation also requires resellers to clarify which network their subscribers are using.
- The Board felt there was no need to list minimum remittance requirements in the regulation.
- The Board agreed that John Patterson would ask Cam Cantrill if the penalty for non-compliance is needed and the two of them will complete the regulation language.

Dee Hopper encouraged people to attend the Kena/Apcos conference in September.

Forest made a motion to adjourn the meeting at 3:40 PM, John Patterson seconded, and the vote was unanimous.

CMRS Board Meeting
August 2, 2001
Administrative Office of the Courts Conference Room

Board Members Present:

Steve Hillsman, Major Bowman, Richard Guittar, John Patterson, Dee Hopper, John Schmoldt, Jennifer Jackson (staff), Sandi Lawson (staff)

Guest Present:

Marsha Penney, Bronda Galbraith, Sandy Virgin, Sandy Ott, Doug Sanders, Jeffery Pack, Allen Muse, Denisa Davidson, Dick Bartlett, Carmen Bryant, Dwight Williams, Catherine Johnson, Peter Clough, Fred Rogers, John Conley, Laura Phipps, Darrell Mason, Mike Marshall, Mary Allender, Jake England, Steve Dooley, Mary Mullins, Danny Spears, Beverly Harbison, Bobby Bunnell, John Hamm, Dwight Clark, Clara Mae Druen, Steve Pennington, John Farrelly, Mary McCormick

Welcome and Introductions:

- Richard Guittar called the meeting to order at 9:20 a.m.

Approval of Minutes:

- Dee Hopper motioned to approve the April 26, 2001 minutes; John Schmoldt seconded; vote was unanimous
- Steve Hillsman motioned to approve the May 24, 2001 minutes; Dee Hopper seconded; vote was unanimous

PSAP Certification Committee:

- Dee Hopper motioned to approve Allen County for the 60 day review status; John Schmoldt seconded; the vote was unanimous
- Dee Hopper motioned to approve Prestonsburg for certification; John Schmoldt seconded; the vote was unanimous
- OnStar, ATX (two telemetric companies) have requested updated PSAP Information. PSAP Contacts are to be listed on the web site without the 24x7 administrative phone number. There should be included the last date the data was verified and a disclaimer as to the current accuracy. John Patterson should check with Cam Cantrill regarding a disclaimer language.

Cost Recovery Committee:

- John Patterson motioned to approve Tritel's Cost Recovery Plan; John Schmoldt seconded; the vote was unanimous.
- Sprint has a new person working to get their Cost Recovery Plan submitted.
- John Patterson motioned to approve invoices, Major Bowman seconded; the vote was

unanimous

Financial Report:

- August 15, 2001 is the date that the next pro rata payments (\$9,790.62) will go out to the PSAP's
- Previously the board approved an administrative budget approved in May = \$432,664.00
 - When it was turned in to GOT, it was rejected because it was more than the \$206,000.00 appropriation approved by GOPM for the biennium
 - John Patterson spoke with Aldona Valicenti about the problem. She advised the board send a letter requesting GOPM increase the appropriation to = \$439,064.00
 - The amount was increased because of growth in the revenue forecast. The additional funds were added to the budget under the audit since this is an unknown number until this is complete.
- In house testing has been done on the EFT, but there are still problems to resolve including what how to adjust the data if there are insufficient funds for a transaction.
 - Have a meeting set with GOT Staff, Anexsys, and Farmers Bank to set time for carrier testing. Have made contact with one carrier who has agreed test and will be contacting a few more.
- Audit – not a lot of new information, still trying to get information from carriers.
- Still trying to get interest payments for the administrative account forwarded to the proper account.
- At the last meeting Jennifer Jackson reported that a carrier had dropped their subscriber count by about 20,000 subs. They were been asked to verify. They found the problem and remitted another \$50,000 for three months that were submitted incorrectly.
- A different carrier has been remitting based on an “average” number of subs instead of actual. They say they are now able to post actual numbers. However, after reviewing their previous submissions, they are able to document that they over remitted by \$40,000 over the past year. They have been told to supply the documentation and recovery the money by shorting subsequent remittances.

Administrator's Report:

- Whitley and Laurel Counties called concerning some problems with a new PCS company, Northstar Technologies.
 - Wireless 2000 has gone out of business. Northstar Technologies is buying Wireless 2000, but has had problems because the telcos had cancelled Wireless 2000 trunks.
 - Phil Crawford with Northstar, the two counties, and John Patterson met in Northstar offices to craft some interim arrangements. Everyone agreed that sending Phase O calls to the two counties' administrative numbers would work until Northstar starts routing Phase I calls which will probably not occur for about six more months.
 - These are the only two counties affected by this problem.

- At the recent NENA conference, John Patterson purchased the cassettes recordings of the various sessions. As an educational service, the CMRS Board will loan them to anyone requesting one. The complete list can be found on the web site.
- While at NENA, John Patterson met with Tom Sugrue, FCC Wireless Bureau Chief. Regarding PSAP readiness, Mr. Sugrue said during the discussion that it was the FCC's intention that PSAPs and carriers coordinate the implementation of Phase I service and the resolve any problems encountered during the six-month window for initial service implementation established by the Bureau.
- – John and David think this should be put on the website.

Issues:

- Decertification of PSAP's – In a long discussion a number of points were raised by board members as well as members of the audience.
 - Many PSAP representatives felt that an extension should be granted since for nearly all of conditionally certified PSAPs, they have done everything in their power to comply with the board's requirements. Most of the delays have been due to factors out of their control (e.g. Verizon tariff, equipment vendor delays)
 - Several board members felt that it was important to establish an endpoint
 - Carriers had expressed concern to John Patterson that they could not implement Phase I if the PSAPs were not ready.
 - If PSAPs are decertified: What will be done with the subscriber counts for the zip codes covered by those PSAPs.
 - Many of the conditionally certified PSAPs are already taking Phase O calls.
 - Can the board review these PSAPs on a case-by-case basis, extending some and not others?
 - All agreed that future certifications will have to more clearly establish what deadlines must be met
- John Patterson motioned that the Board not permit carriers to pass database expenses for on-site PSAPs through carrier cost recovery in a way that they do not do for off-site systems. John Schmoldt seconded; the vote was unanimous
- The Board agreed to be neutral on whether carriers should comply with the FCC Phase II deadline.
- Board needs to select a subcommittee to determine Phase II certification requirements for PSAPs.

The Meeting recessed for lunch.

On Site Database Solution Presentations:

- Catherine Johnson (Intrado), Bob Sturgill (TCS formerly XYPoint), and Carmen Bryant with Dwight Williams (InterAct) gave presentations on how each would provide data service for the on-site PSAPs. .

John Patterson motioned to adjourn the meeting at 2:50 p.m., Dee Hopper seconded; the vote was unanimous

Corrections noted & added before approval at 08/23/2001 meeting

- Board directed that the PSAP Committee make recommendations on whether to extend the certification of the “conditionally certified” PSAPs (correction by Richard Guittar)

CMRS Board Meeting
Minutes
May 24, 2001
OGI/CMRS Conference Room
21 Millcreek Park

CMRS Board Members Present:

Richard Guittar, Dee Hopper, David Lucas, John Patterson, Forest Skaggs, Charles Bowman, Steve Hillsman

Staff Present:

Jennifer Jackson, Matthew Mason

Guests Present:

Steve Dooley, Dick Bartlett, Pete Clough, Darrell Mason, Marsha Penney, Bronda Galbraith, Sam Bard, Dee Davidson, Rob Carter, Jeff Howard

I. Welcome & Introductions: Richard Guittar

Chairman, Richard Guittar called the meeting to order at 1:00 p.m.

II. Approval of Minutes

- Approval of April minutes was deferred until the next meeting due to a motion that was inadvertently left out.
- Board members requested that minutes be submitted within one week of the meeting and that first person references be changed to read, "The Board".

III. PSAP Certification Committee: Forrest Skaggs

- Applications have been received from Allen County and Prestonsburg; site visits will be scheduled soon.
- The Board sent a letter to the PSAP's, which are currently under the sixty-day review asking for updates on their status.
- Mr. Skaggs made a motion to de-certify, on October 1, all PSAP's approved under the 60 day review process, that are not fully capable of receiving phase I calls by September 30, 2001. Dee Hopper seconded the motion, - vote was unanimous.

IV. Cost Recovery Committee: John Patterson

- The Cost Recovery Committee did not meet this month.
- Mr. Patterson reported that Bluegrass Cellular had sent their revisions, Tritel had sent an email that their revisions are forthcoming and Dobson Cellular has not yet submitted anything

V. Financial Report: Jennifer Jackson

- Carrier remittances are complete through February.
- One carrier that reported 20,000 less subscribers, the carrier has been asked to verify that this is correct.
- Financial data is complete through April 30th; the May pro-rata payments have not been deducted from CMRS accounts.
- May 15th Pro Rata payments were direct deposited and an email was sent to PSAP managers notifying them of the deposit.
- There was a discussion as to the direct deposit not automatically generating a notice to the payee and the Board recommended a notice be sent to the payee, as well as to the PSAP, confirming total amount of funds and date of the deposit. The Board also suggested that a chart of payments be posted on the CMRS web site.
- The proposed budget for the coming year was presented and John Patterson made a motion to accept the budget as presented. David Lucas seconded the motion, and the vote was unanimous.

VII. Administrator's Report: John Patterson

- The Board is still reviewing the Cingular and Powertel cost recovery invoices, so they are not presented for approval.
- John Patterson made a motion to approve Verizon's cost recovery invoices for payment. Forest Skaggs seconded the motion, and the vote was unanimous.

EFT Project:

- The interface with Mars is being developed. Software has been loaded and the next step will be to put more test data in.
- Transaction data will be stored in the server. Bank routing information is not stored anywhere for security purposes. The routing information must be re-entered each month by the carrier.
- The new regulation for Carrier remittance and reporting will require all carriers to use this process.

Audit:

- No new information to report. The Auditors continue to struggle to get archived information from Carriers.

VII. Regulations

- Regulations for Carrier remittance and reporting and PSAP workload disbursement were sent in draft form to Cam Cantrell to be put into regulatory language.

After a lengthy discussion of the basic concepts of the workload distribution regulation, the Board agreed that:

- The workload disbursement would be paid out within 120 days of the end of each quarter.
- Carriers will report the number of CMRS connections in a zip code for the last month in each quarter and would make that report to the Board within 60 days of the end of each quarter.
- The Board would then have 60 days to analyze the data and process the payments.
- Funds received on or before 6/30/01 would be available for the 1st distribution from the fund.
- A 3% threshold will be used as a starting point for zip code splits, and procedures were specified for PSAPS to review and agree or dispute the zip code information.
- PSAPs certified on October 1, 2001 will be eligible for the initial workload disbursement of the accumulated funds in the workload revenue pool. For subsequent disbursements, PSAPs certified on the last day of the quarter will be eligible for disbursements based on that quarter's revenue.
- John Patterson and the GOT's attorney, Cam Cantrell are to complete the language for the workload disbursement and submit the emergency regulation to the Governor by June 15th, 2001.

CMRS Surcharge Remittance and Reporting regulation

- The Board agreed that this regulation should go through the normal promulgation process for regulations.
- There was discussion regarding some basic reports needed from carriers that are not related to cost recovery that require a separate regulation to administer.
 - Carriers would be allowed a 60-day period (similar to that permitted for remittance) to submit their reports. Such reports are as follows:
 - Submitting the number of connections per zip code to allow the workload disbursement calculation;
 - Reporting re-selling companies and the number of connections sold by re-sellers that are included in subscriber based cost recovery plans.
- The remittance method will change to a web-based electronic transaction and should be put into a regulation. The form required by the Board should be included by reference to allow subsequent modification without modifying the regulation.

Board Retreat:

There was a short discussion regarding a possible retreat for the CMRS Board. The state has a facilitator who could be used. The retreat would serve to assess the long-term role of the Board and to focus members on the requirements of the statute and their role in the FCC regulations. The retreat could be held at a state park and would probably have to be open to public, as a quorum would be established. The matter will be discussed more in-depth at a later date.

Motion was made to adjourn.

CMRS Board Meeting Minutes April 26, 2001

Board Members Present:

Chair, Richard Guittar
Charles Bowman
David Lucas
John Schmoldt
Dee Hopper
Forest Skaggs

Staff Present:

John Patterson, Administrator
Jennifer Jackson
Sandi Lawson

Guest Present:

Peter Clough, Mary Mullins, Dana Murphy, Mary Allender, Darrell Mason, Keith Hill, Bob Boston, Mary McCormick, Mark Dill, Gordon Ramler, Jeffery Pack, Sam Bard, Dick Bartlett, Melissa Richardson, Jackie Stephens and Steve Tracy

I & II Welcome and Introductions: Richard Guittar

Chair, Richard Guittar called the meeting to order at 1:25. The Board meeting was held in the OGI/CMRS Conference Room located at 21 Millcreek Park. Richard asked for discussions on the minutes from the March 22, 2001 meeting. Forest Skaggs had a question regarding the third paragraph on Page 3. A correction in the wording was made. Richard Guittar made a motion to approve the minutes, John Schmoldt seconded the motion, and the vote was unanimous.

III PSAP Certification Committee: Forest Skaggs

- The PSAP Committee has met once since the last Board Meeting and took action on the Lawrenceburg/Anderson County application. They have submitted the documentation requested and can now be moved off the 60-day review list.
- The PSAP Committee has 8 or 9 counties that have requested applications.

60 day Notices fall into a couple of categories:

- A group of counties – Lawrenceburg, Harris, Pendleton, Fleming and Boyd are still working on becoming enhanced, they continue to make progress.
 - The largest group of the 60 day counties are the one's that have network

impediments. Verizon serves all but two of those counties. These counties have not made as much progress as hoped for due to the withdrawal of Verizon's tariff after a protest was lodged by Barren-Metcalf PSAP. It will be resubmitted soon.

Forest Skaggs made a motion that because Lawrenceburg/Anderson County had submitted the requested documentation; they should now be moved to full approval status. David Lucas seconded the motion, and the vote was unanimous.

Forest Skaggs made a motion to approve a 30 day extension to the 60 day group. The motion was seconded by David Lucas, the vote was unanimous.

IV Cost Recovery Committee: John Patterson

Tritel Plan and others:

- Tritel plan still being revised.
- Sprint and Alltel both have sketchy plans.
- Bluegrass Cellular's and Dobson Cellular plans were reviewed today. Both need some revision.
- All companies have been contacted and have had no response.

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Company ID and 24 hour contact:

- NENA is making a big effort to get a company id and a 24-hour contact for all telecommunications companies.

Reseller list update:

- Our attorney feels this needs to be put into a regulation and will take at least 3-4 months to implement. It could be put into the Cost Recovery Regulation.

John Patterson made a motion to amend the cost recovery regulation. The amendment would require carriers to submit quarterly a list of resellers served by them and contacts for each reseller. It would also require that carriers who have subscriber based cost recovery plans submit, with their cost recovery request, a break out of the number of subscribers that are sold by them and the number sold by each of their resellers. The penalty for non-compliance will be withholding of funds. David Lucas seconded the motion, and the vote was unanimous.

V Financial Report: Jennifer Jackson, CPA

- Printouts from MARS accounting, which reconcile to Jennifer's, refer to Pages 4-11.

- There are 74 PSAP's at present and more that are interested. The amount of money to be distributed (Pro-rata) in May for the quarter ended March 31 will be \$8,586.13. The amount of Pro-rata share will change as others PSAP's join.
- The Board would like to see the income statement monthly. The other information on a quarterly basis (Pages 10-11)
- The Board would also like to see a report on the carriers that are past due on payments.

Direct Deposit readiness:

- The program is almost ready to run. Looks like the Pro-rata payment in May will be accomplished via direct deposit.

Transfer of Duties:

- Jennifer gave a brief description of the procedures for transferring duties from GOT staff to us.
 - Discussion of receipts for deposit.

Interest Problems:

- \$682,338.50 is the amount of interest earned to date.
- All has gone to the appropriate accounts except for \$8,260.61, which has been placed in a capitol construction account. This is an error and Jennifer is working on it.

Administrator's Report: John Patterson

Verizon Invoices:

John Patterson made a motion to approve the Verizon invoices for payment. Forest Skaggs seconded the motion, and the vote was unanimous.

- Cingular has submitted an invoice. John has some questions before this can be brought to the Board for approval of payment.

EFT Project:

- Finished with the developer.
- Now dealing with the interface to MARS on security issues.
- Asking GOT to take extra steps to make sure we understand security thoroughly.
- We will have a contact person for carriers to ask security and banking questions.
 - The data will be stored on the GOT server.
 - This is a system that addresses all carriers concerns.

Audit

- Bluegrass is finished.
- Auditors are now working with Cingular, Powertel Verizon, and others
- Carriers are slow to submit information because they are retrieving archived material.
- Verizon has given the auditor's letter of request to their attorneys who will contact the auditors.
 - Audit goes back to July 1998.
- The cost of the audit is not to exceed \$30,300.00. If Crowe, Chizek requests additional cost, they will have approved by the Board first and do not have to be paid per the current contract. However, our attorney (Cam Cantrill) has suggested that additional costs incurred in a good faith attempt to perform the audit as requested by the Board should be carefully reviewed.

VII Implementation of HB99: John Patterson

Disbursement Method Decision:

- Call Counting is the fairest way but it will cost more money to implement and is more complicated, not to mention it will take more than a year to make the first payment.
 - Population is cheapest way but the least accurate in terms of measuring workload. The data tends to age. The longer you are in the census cycle the older the data is.
- Subscriber by zip code is the most popular method used among the other states surveyed. It is equitable, and could be established before Phase I call delivery is completed. This system would have little ongoing costs.
 - Disputes over splitting of zip codes may occur in some cases. Negotiation between PSAPs would be the preferred method of resolving disputes.
 - Need to decide eligibility date cut off.
- Received emails from Glasgow and Marshall Counties regarding call counting.

John Patterson made a motion to move forward and adopt subscriber by zip code as an interim disbursement method and that would further require that all PSAP's provide a count of, whatever means available, of their calls for future study. And that we move forward with this as rapidly as possible. Dee Hopper seconded the motion.

Forest Skaggs suggested that the motion be limited to the interim disbursement method to do sub by zip, no details needed as of right now. John amended his motion and dropped the requirement that the PSAP's count calls.

Amended Motion:

John Patterson made a motion that we move forward and adopt subscriber by zip code as an interim disbursement method for payment of the volume money until the completion of the study required by the legislature in 2003. Dee Hopper seconded and the vote was unanimous.

- The Board needs to determine a cut-off date for certifications and disbursement target date.
 - John will have a draft of the regulation for the next meeting.
 - Cam Cantrill has agreed to help write the draft reg.

Other issues discussed

- In order to do the studies required by the new statute, the Board needs to require by regulation or resolution that PSAP's to provide a count of calls. We should have a sufficient data with a six-month report of call counting.
 - We have to let PSAP's know that this is important, we need to offer some incentive.

We need to put this in new regulation and have a specific start date and end date.

- Richard Guittar suggested that we do the call counting for 90 days as opposed to 6 months.
- At what point are we, the Board, going to get involved in trying to enforce the FCC order, which is a statutory requirement? We need a legal opinion as to the Boards involvement in enforcement of FCC order.
 - There are carriers that have legitimate problems that they are trying to work through and some which require some serious stimulation. Not submitting a cost recovery plan does not eliminate a carrier's requirement to comply with the FCC order.
 - We need to send a letter to all the carriers asking them exactly where they stand, and what their schedule is, and if they are not on schedule what the problem is. Any effort to move forward will require an assessment of the carrier's status.

Future Meeting Dates:

May 24th
July 26th
August 23rd
September 27th
October 25th
December 13th

David Lucas made a motion to have the September 27th meeting in Owensboro. Richard Guittar seconded the motion, and the motion carried.

VIII Comments/Discussion from Floor:

- A brief discussion on the quality of service that will be provided. Some PSAPs are concerned about inadequate trunking in carrier plans and resolution of problems regarding misrouted calls and ANI failures.

Dee Hopper and John Schmoldt's term on the Board will be ending in August. Forest Skaggs made a motion to send out the Board Vacancy Letter to the carriers notifying them of the vacancies. Richard Guittar seconded the motion, and the motion carried.

Richard Guittar made a motion to adjourn the meeting at 4:45 p.m. Dee Hopper seconded and the vote was unanimous.

CMRS Board Meeting

Minutes

March 22, 2001

Welcome and Introductions:

Chair, Richard Guittar called the meeting to order at 1:00 PM in the OGI/CMRS Conference Room at 21 Millcreek Park. John Patterson introduced everyone. The following were in attendance.

Board Members: Richard Guittar, Dee Hooper via telephone, John Schmoldt, Forest Skaggs, Steve Hillsman, Charles Bowman and John Patterson

Guest: Steve Dooley, Darrell Mason, Robbie Gailbreath, Marsha Penny, Mary Mullins, Jeffrey Pack, Dick Bartlett, Sam Bard, Petie Clough

Staff: Jennifer Jackson and Sandi Lawson

Approval of Minutes:

Hillsman motioned to approve 2/22/01 meeting minutes, Patterson seconded, and the vote was unanimous.

PSAP Certification Committee: Forest Skaggs

- Skaggs reported that the committee had only one minor issue before it and had not met.

Cost Recovery Committee: John Patterson

- Patterson met with the Sprint representative (Susan Sherwood) while in Orlando. She commented that they are working on their cost recovery plan.
- Alltel has downsized and the two people that were working on their plan are no longer with the company. The new person reported that they are starting to work on the plan
- Tritel / Suncom is revising its plan based on interaction with the committee.
- Bluegrass expects to deliver its plan shortly. Other than those already approved and those above, the rest have not responded to the Board's letters requesting their plans..
- The committee talked about a company ID & 24 hr. contact #which is a national standard being developed by the Network Technical Committee of NENA. The standard suggests that every company

should have it's own ID and a 24 hour contact. The Wireless Community is just starting to address this. The Cost Recovery Committee will be discussing whether or not we want to make this part of the cost recovery requirements.

- The cost recovery committee had a lengthy discussion on resellers. Now that we have a carrier that's actually submitting cost recovery invoices, we need to be a little more aggressive with our reseller collections and our knowledge of the number of subscribers they have. The problem is that the resellers collect from subscribers and remit directly to the Board. Some carriers are submitting cost recovery based on an aggregate of their subscriber counts plus those of their resellers. Also without up to date reseller data, the Board can't be sure that it is collecting from all "cmrs connections" as required by the statute. The Cost Recovery Committee made the following recommendations:
- As part of cost recovery, the carrier must submit quarterly, a list of any active resellers they have in their contact information for that reseller.
- If they are submitting a sub-based cost recovery plan they would also have to provide a list or a break out of the number of subs by reseller.
- Carriers that do not submit the breakout of subs by reseller, we will withhold that portion of their invoices from their next payment based on the breakout that was previously submitted. We will hold those payments until we get the requested information.
- Carriers that do not submit a quarterly list of resellers will have their total payment held until they come into compliance.

There was a brief discussion on how this could or should be done. Points raised are as follows:

- This should have legal review - should it be incorporated into the regulation?;
- Should we ask the carriers or resellers to give us the breakout for their subs?;
- Confidentiality should not be a problem since carriers are already giving us the number of subscribers in their company.

Board directed Patterson to take this to Cam Cantrill and a formal resolution drafted.

Financial Report: Jennifer Jackson

- Jennifer reported :

February Deposits Carrier Pro Rata Volume Board Total

Deposits Balance Balance Balance Balance Balance

\$949,730.15 \$8,083,370.64 \$411,804.54 \$4,037,990.27 \$194,868.68 \$12,728,034.13

- All pro rata account disbursements are shown and agree with the statewide accounting balance.
- Subscribers are growing at the average rate of 240,000 per year.
- Schmoldt requested a spreadsheet of current and past fiscal years one that shows how much money is being paid to PSAP's and carriers.
- PSAP Payments will be sent out electronically via an interface with the MARS (checkwriter file). Carriers will be paid electronically but manually processed until at least 5 payments are being made each month.
- The audit trails and processes are detailed on Pages 6 & 7 of the handout - Basically deposits and disbursements will require multiple levels of approval - at least one of which will be non-Board staff. Sandi Lawson will open checks and log them; Jennifer will create deposit voucher and personally deliver checks to Treasury. These procedures are in accordance with normal audit requirements. (Note that once EFT comes on line, check handling procedures will change).
- Interest statements are now coming directly to us.

Implementation of HB99: John Patterson

- HB99 was passed without change since the last meeting. The governor signed it on March 15th.
- Major changes from the current statute
- Carriers are relieved from providing a quarterly call count, but may be required to supply a quarterly count of subscribers broken down by zip code.
- Audit period extended from 18 months to 24 months.
- Merging PSAPS will retain the same number of Pro Rata shares for 24 months after the merger.
- The Board must conduct a study of equity issues surrounding the distribution of the PSAP funds and report to the Legislative Research Commission on or before 1/1/2003.
 - Whether rural, low call volume PSAP's are receiving more funds than are necessary.
 - Whether an alternate funding formula should be adopted to replace the pro-rata wireless workload formula that is in place at that time.
- The volume disbursement method is really the major issue addressed by HB99.
- The Board must now determine what method to use for disbursing the PSAP volume funds.

- Since the legislature's clear intent was to quickly disburse the accumulated funds the question is are we going to simply adopt subscriber by zip code which would be consistent with the Board's endorsement of HB99 when subscriber by zip code was the only method listed?
- No matter what we do or decide we have to write a regulation. The minimum time to do this is 4 months, the maximum time is 6 months for a normal regulation. Skaggs noted that a normal regulation could not be completed by August 15th. An emergency regulation could be used to speed the process like was done with the other regulations. The earliest checks could go out would be August 15th since the statute will not take effect until June 13th. This means that an August 15th date would be very challenging.
- Patterson's analysis is that sub by zip correlates the workload, it doesn't measure. It gets the money out quickly and distributed on a reasonable pattern across the state. Call counting would actually measure the workload and thus be more equitable but it would cost a lot of money to implement and it will take a year or more before we can turn it on.
- Several Board members felt that we need to get as much input in general, identify the alternatives, and do a written analysis of all the methods that have been discussed and figure out which one is the most equitable. An in-depth study can be done later as required by the statute and open this process to everyone.

Guittar asked that Patterson provide a written analysis before the next Board meeting.

Dee Hopper made a motion that the Board adopts the subscriber by zip code method and to work towards the regs for that. And after that we will look at other options as stated in the law. We will study it over the period until 2003. Steve Hillsman seconded the motion. The vote was 3 yes 3 no.

- Brief discussion on zip code boundaries, refer to pages 44 & 45 of your handout. Patterson briefly on the notes he had prepared re: subscriber by zip code. Only 349 of the 878 zip codes in the states are wholly contained in the county. That means over half cross the jurisdictional boundary and 60% will have to have some resolution on how we divide this money up between two jurisdictions.

Administrator's Report: John Patterson

Verizon Invoices:

- Patterson motioned to approve Verizon's invoices, seconded by Skaggs; vote was unanimous.

EFT Project:

- Back on the slow burner; GOT has not met since last month; despite efforts to run a parallel track, it has not happened.
- Storage system and security issues will be discussed in a meeting to be held.

Audit:

- Dana Wilson has picked the following carriers for testing : Cumberland Cellular, KY RSA 3 & 4. Cingular/KY CSGA, Inc., Cingular/Westel Milwaukee, Airtouch Cellular, Powertel of KY, CBW of KY, Verizon Wireless of the South.
- Letters have been sent to the remaining providers explaining the audit procedures and requesting information.

FCC Meeting:

- Multi state meeting was held on March 5&6.
- A number of PSAP's have complained that when a caller calls 911 sometimes the PSAP needs to get information on where that instrument is and they can't get it from the carriers. Pages 26-31 of your handout contain a copy of U.S. Senate Bill 800, which requires all carriers (wireless and wireline) to provide subscriber information to PSAP for the handling of an emergency call.
- FCC operates a web site called ULS. It has information that is very current for carrier licenses.
- FCC staff outlined complaint procedures.
- FCC is very interested in feedback from states as to the progress of Phase I.

NENA TDC Meeting:

- They want PSAP's and Carriers to get involved and help write the standards.
- Page 32 of your packet is the membership roster for NENA Wireless Committee and a list of the study groups. NENA wants more participation for the study groups especially by wireless carriers. Meetings are held by conference calls.

TOP Grant:

- TOP- Technology Opportunity Program Page 34 in your handout is a pilot study of the interfaces needed for mapping and the problems created by crossing various jurisdictional boundaries of the participants in mapping at the local and state levels.

Meeting was adjourned @ 4:45.

Governor's Office for Technology

Commercial Mobile Radio Service Emergency

Telecommunications Board

Meeting Minutes

February 22, 2001

Members Present: Chair, David Lucas, Dee Hopper, Ken Hardin, Forest Skaggs, Steve Hillsman, John Patterson and Richard Guittar via telephone.

Guest: Doug Sanders, Bob Boston, Mary McCormick, Steve Tracy

Staff: Jennifer Jackson and Sandi Lawson

Chairman, David Lucas called the meeting to order at 1:20 pm in the OGI/CMRS Conference Room, #21 Millcreek Park. John Patterson introduced Jennifer Jackson and Sandi Lawson. Changes to the minutes from the 01/25/2001 meeting have been noted and made.

Legislation: John Patterson

- House Bill 226 & 99 different groups
- House Bill 99 came out, amended, committee substitute.
- House Bill 99 new version, extends audit from 18 months to 24 months.
- The purpose of these statutes was to implement the FCC order.
- This Bill has a lot of momentum and is very unlikely that it will fail.
- Word changes to the Bill can be made on the floor.
- House Bill 99 was not written at our request nor were the changes.

David Lucas made a motion to direct John Patterson to work with the sponsor's to get "wireless 911" emphasized in the clause on page 5 line 12. Steve Hillsman also made a motion to strike the phrase "and FCC order" on page 6 line 6. Forest Skaggs seconded the motions, the vote was unanimous.

PSAP Certification: Forest Skaggs

- No Meeting

Cost Recovery: John Patterson

- Cost Recovery did not meet today.

Financial Report: Jennifer Jackson

- Prepared a summary report which is in your packet that shows the balance up to 2/21/01.
- The pro-rata balances are the only balances that I (Jennifer) am not sure of.
- Two months worth of interest have not been posted to these accounts.

Administrator's Report: John Patterson

- Received Anderson County's update today, but the ordinance had not yet had its final reading.

EFT Project:

- The committee met this morning and the project is winding up as far as the developer goes.
- We are now moving into GOT inter-face with MARS.
- We would like to wrap this up within the next two months if possible.
- The biggest question right now is regarding security.
- We need a solid explanation of the security system. They are working on this and are going to get back with us.

Future Disbursement Schedule:

- Pro-rata deposits should be out 45 days after the calendar quarter.
- We (Board) would like for Jennifer to come up with a solution on when this extra money should be distributed.

Handouts (regarding allocation of PVOL funds)

- In preparation for the committee I developed this chart of what other states are doing.
- Several states say up to a dollar instead of a dollar.
- Of the 14 states listed: 4 do this by population, 3 do it by subscriber, the remaining states do it by number of access lines.
- South Carolina does call counting.
- We continue to do some analysis and it looks like this has a real good chance of getting passed.
- The map attached to your packets is typically what the map of Kentucky looks like with zip codes.
- 60% of the zip codes in the state cross the county boundary.
- Of the 878 zip codes in Kentucky, 88 or about 10% of the total have 5% or more of their land mass across their jurisdictional boundary.
- I (John) did find in my review of the other states that one state has already crafted language on specifically how to address disputes over who gets the money based on zip codes and how to carry it through to where your counting people on the street.

David Lucas discussed John Patterson's travel expenses. John talked to Fleet Management regarding this and his findings were as follows. If you want a car permanently you have to buy one and sign it over to Fleet Management and they in turn lease it to us for \$163 a month. You get an allowance of 688 miles a month. For that 688 miles they pay all the gas expenses, maintenance, cleaning and insurance. Once the car reaches 100,000 miles they replace it with a new one at no additional cost. If you leave off the purchase price the break point is 8,200 miles. To give you a break down of the monthly cost, if you drive 688 or less miles you pay 163 dollars per month. If you drive more than 688 miles a month they charge you 23 cents a mile instead of 30 cents (charged for a personal vehicle) a mile for the extra miles beyond 688.

Forest Skaggs made a motion to buy John Patterson a car for travel purposes, Dee Hopper seconded the motion, the overall vote was unanimous. David asked for any comments or discussions. Forest Skaggs held a brief discussion on the 511 calls. The meeting was adjourned at 3:15 pm.

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GOVERNOR'S OFFICE FOR TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

Board Meeting Minutes

January 25, 2001

Chairman, David Lucas called the meeting to order at 1:25 p.m. in the OGI/CMRS Conference Room, #21 Millcreek Park. David announced that all members were present with the exception of Richard Guittar. Questions regarding the minutes from the last meeting were resolved, John Patterson introduced visitors: Dana Wilson and Ed Olliges , they are here today to talk about the progress of the audit.

Audit – Ed Olliges & Dana Wilson :

- This is the first audit for the CMRS Board.
- Auditors have had a lot of questions and well as John Patterson having a lot.
- Period cut-off for the audit is June 2000.
- This is a two year/18 month period beings it is the first audit.
- Audit is broken down into three parts: The Board with it's receipts, the money that comes in from providers and the money that will be going out to the PSAP's and just minor expenses. There is no money going out so the audit is being done on the money that is coming in.
- The audit on the Board is $\frac{3}{4}$ of the way through.
- Auditors will be reporting to the board on this first period of auditing on money coming in and the minor expenses that the board has had.
- The second part of the audit is the providers.
- The auditors are trying to figure out a way to report to the Board on what has been found because any detailed information related to the individual providers can not be released. Board will be receiving a report on the compliance of each provider to the statutes.
- All receipts for the Board were received and documented as they should be.
- One item that is still in question is the recording of the interest. Auditors are working with GOT as far as the

interest is concerned and it looks like further investigation will be needed.

- Are now scheduling a time to meet with the rest of the providers.

PSAP Meeting – Forrest Skaggs:

- We are going to recommend that the board take action in regard to several of the PSAP's. These particular PSAP's were approved on the 60 day list.
- Grayson County has withdrawn and they are going to hook on with KSP. Forrest made a motion to decertify Grayson County, Schmoldt seconded the motion, the vote was unanimous.
- There were 10 KSP post on the 60 day list. They have filed the required information. Forrest Skaggs moved that we approve KSP post #3 Bowling Green, #14 Ashland, #12 Frankfort, #11 London, #8 Morehead, #7 Richmond, #6 Dry Ridge, #15 Columbia, #4 Elizabethtown and #16 Henderson. The motion was seconded by Dee Hopper, the vote was unanimous.
- Paris/Bourbon County was also on the 60 day list, they have complied, Forrest Skaggs moved that they be approved, John Patterson seconded the motion, vote was unanimous.

Cost Recovery Meeting – John Patterson:

- We had four cost recovery plans and had asked for additional information. Three of the four complied and sent the additional information in. We were pleased with Powertel and BellSouth's plans and feel that it's reasonable and should be approved by the board.
- Tritel and Cellular One are basically complete but are pending due to a few questions that need answering. Mostly more documentation on what they submitted.
- We expect that Tritel and Cellular One will be approved in the near future.
- A conference call has been scheduled for next week for one of these companies in order to get their representative on the phone.
- John Patterson made a motion that the Board approve BellSouth and Powertel's cost recovery plan in order for them to receive payments upon the receipt of appropriate invoices, Steve Hillsman seconded the motion, vote was unanimous.
- Kentucky's CMRS money for cost recovery carriers is likely to be unable to meet the cost that they are submitting.
- We are very much aware that the money will not be near enough for phase I.

Legislation :

- All members were sent an email on house bill 99.

- There are three things that the legislation is changing: confidentiality, use of funds and "volume" payments via subscribers by zip code.
- A fourth item which is not on the legislation but should be is the point that you have to get a court order to get the phone number and information from the dispatch contrary to a subpoena which is the way land line is.
- The Board asked John Patterson to ask the sponsors to de-couple the call volume issue from the confidentiality, proper use of funds. They don't want a lot of extra bills floating around that will confuse the issues, they said if it looks like the bill is going to be defeated because of the call volume, they will go ahead and de-couple at that point, but right now their not willing to separate it into two bills.
- Some people had concerns on the use of funds. Funds being used on non-wireless matters. Can we try to get this as an amendment.
- Page two of the house bill needs to change allowed uses of funds to include training and public education concerning appropriate use of CMRS 911 calls .
- David Lucas made a motion to change the wording Patterson seconded, vote was unanimous.
- Discussion on describers by zip code and call counting.
- Money is the driving force.
- We don't have a mechanism to get this money released.
- The longer we take getting something done, the better the risk of losing what we have.
- John Patterson commented that he felt call counting is the fairest way, but will cost more money than we have. We don't have the money to administer a call counting system.
- One concern with population is that the accounts would be old and stale.
- Subscriber counts are kept current and up to date.
- Call counting would correlate to your workload.
- Population is cheaper to produce and administer
- In two weeks time we have created a system to administer call counting using subscriber by zip code.
- The cost of call counting by carriers would come out of the cost recover money that they receive and we know there is not enough, so somewhere down the line we have to figure out if we are going to keep throwing money away on something that will never be solved.

- John Patterson moved that the CMRS Board indorse house bill 99 in total with the amendment that we have already suggested including the disbursement by cellular subscriber zip codes. Dee Hopper seconded the motion, vote was 3 ayes, 1 no, 2 abstained.
- Legislation will be over by March 10. We will know if the bill passes or not and we can jump in with both feet at that time.

Implementation Issues – John Patterson

- PSAP's that are already involved in implementation are finding that there are some inadequate capacity being built out there which may or may not be a problem . There are also some routing issues where PSAP's are connected to a tandem and our wireless carrier comes in and routes calls from the MSC for that PSAP to a place where that PSAP has no connection.
- The Board needs to work with the carriers to make sure that they are working with the PSAP's to connect the tandem where that PSAP is served.
- Another example: PSAP's are being called by carriers saying we have selected you as a default for the PSAP's in this area and are you going to take on all those defaults.
- The Board needs to get with these carriers and make sure that they are working with the existing network.

Administrator's Report –

Request for payment for the Insurance company:

- Liability Insurance needs to be paid. Board says to process.

EFT Project:

- A test was done on the EFT System and much appreciation to the Tritel, Bellsouth, Powertel, and Verizon folks who provided some of their personnel to help test.
- The test was very successful.
- GOT has also been testing this for other user's and we are scheduled to have a meeting with GOT and the tester's to summarize our findings.
- Sometime within the next month we should be able to make this available to the carriers.
- There are some wrinkles to work out.
- Disbursement of checks will be on February 14th via electronic deposit.

- Disbursement amount per PSAP is \$49,002.51.

Personnel:

- Jennifer Jackson will report to work on February 19th. Her references have been checked. Richard Guittar and John Patterson along with Mike Presson, Pam Shouse and Harry James conducted the interviews. Jennifer was voted head and shoulders above everyone that was interviewed.

Financial Report:

- Copy of the monthly report was handed out and explained.
- Misrouting of checks by mail services (both internal and USPS) continue to be a problem. Most often it only involves a delay (sometimes more than a month) in depositing them. Three checks (all from the same company), however, were deposited by another agency (revenue) and are still not in our accounts. The dollar amount is about \$21,000. The original problem (a new clerk at the carrier) has been resolved, but the redeposit of the money into CMRS accounts has been a bureaucratic headache. The money is expected to be in CMRS accounts before the first disbursement to PSAPs.
- The growth in this fund continues to be somewhere around one hundred thousand new subscribers every six months that's about seventy dollars every six months.

Upcoming Meetings:

- John Patterson have been ask to participate with a number of folks that are going to address the FCC in Washington on March 5 –6. The coordinator from Tennessee, Missouri and others are going to address the FCC and one of the issues that the FCC wants to discuss is prepaid. They also want to discuss carriers that are gouging PSAP's on wireless issues and carriers who do not pay on a timely basis. If anyone has issues they want brought before the FCC, make your concerns known to the board office.
- John Patterson will also be attending critical issue forum in Jacksonville, Florida and the Technical Data Conference for NENA will be held in Orlando, Florida, March 11 – 14. Board members that would like to go to the meeting in Orlando need to get registered.

Future Meeting Dates:

- Standard meeting date is the fourth Thursday of every month. The dates are as follows:
- March 22nd
- April 26th
- May 24th

June 28th – for those of you who attend the NENA conference in Orlando, we will hold a meeting there.

July 26th

Election of Officers

- John Schmoldt nominated Richard Guittar for Board Chairman. Hopper seconded. vote was unanimous.
- Schmoldt nominated David Lucas for Vice Chairman. Hopper seconded. vote was unanimous.
- Skaggs motioned to close nominations. Skaggs seconded. vote was unanimous.

General comments and discussions were held

Hardin motioned to adjourn.

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GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

Board Meeting Minutes

December 14, 2000

Chairman David Lucas called the meeting to order at 1:00 p.m. in the CMRS/OGI Conference Room. He announced that the agenda was full and that they wanted to get to the voting issues as quickly as possible due to fact that two (2) of the board members were present via telephone.

Approval of Minutes:

- Motion to accept November 30,2000 meeting minutes as written, was seconded - vote was unanimous.

PSAP Certification Committee: Forrest Skaggs

- 21 additional PSAP applications have been approved to submit to the Board.
- To date 79 applications have been submitted to the Board, 78 have been submitted to the PSAP Committee and one (1) application was withdrawn.
- To date everyone is current with the PSAP applications.
- Attached to the report you received is a spreadsheet showing the status of all the applications that have been received.

PSAP Committee: Forrest Skaggs

PSAP applications are in two groups:

Group #1: 44 PSAP's approved without restrictions.

Group #2: 31 PSAP's that are approved with a 60-day review because some of the information was pending or they have equipment ordered that hasn't come in. These will be reviewed in 60 days to make sure that the equipment has come in and that the facilities are in place.

Skaggs motioned was made to certify that the 44 PSAP's (Group#1) are eligible to receive funds based on their application submitted pursuant by the rules and regulations. Steve Hillsman seconded the motion - vote was unanimous.

Skaggs motioned was made to certify that the 31 PSAP's (Group #2) are eligible to receive funds based on their application submitted pursuant by the rules and regulations and further are subject to a staff audit within 60 days to insure compliance has been made with their stated intentions to implement phase one. John Patterson seconded the motion - vote was unanimous.

Cost Recovery Committee: John Patterson

- Met and reviewed a number of applications from several companies, however, the only company to move completely

through the process was Verizon.

- BellSouth and Dobson would have been ready today but not enough committee members were available to hold the meeting - these will be reviewed at a later date.
- A motion was made by John Patterson that the Board approve Verizon's cost recovery plan as reviewed by the cost recovery committee. Richard Guittar seconded motion - vote was unanimous.

Now that PSAPs are certified and a carrier cost recover plan is approved, the next step is to start working with the State's financial officers to start sending out the funds. The cost recovery payments will be more complicated by the need for invoices and comparison with the plan before payments can be made. PSAP's should expect their checks to arrive on or before February 15, 2001. These checks will be sent electronically.

John Patterson reported that the Interim Sub-Committee on Energy approved the regulations December 7th so the pro-rata money and the cost recovery money can be released.

- As a result, One of things that will come before the legislature will be how to resolve this confidentiality problem and CMRS money still cannot be used for public education or for training of dispatch center staff.
- A motion by David Lucas was made that John Patterson pursues to change the legislation on the use of funds to be consistent with landline use. The motion was seconded by Richard Guittar - vote was unanimous.
- John Patterson made a motion that the Board have the authority to request subscriber information to institute a collection action. After a lengthy discussion John withdrew his motion.

Call Counting vs. Population

Several members of the audience made comments in favor of call counting as disbursement basis and other participants favored changing the basis to population. Chairman Lucas limited their comments to one minute each.

KENA/APCO - Population

Bob - Boone County – Call Counting

Ron England – Harrison – population

Jane Pointer – Newport – Northern KY

Dickerson – Pendleton County – population

Mary Mullins – Madison County – Population

Dick Bartlett – Jefferson County – population to start & move to call counting

Rob Rothenburger - Shelby County – Population & consider moving to call counting later

Jack Sample – representing Shelby County

Ronnie West – Grant County – Call Counting

Carla Campbell – Perry County – Population

Pete Clough - Paris County – Population

Jim Morris – Oldham County – Leaving it to the Board

Keith - Campbell County – Call Counting

Sam – Logan County – population

The folks that were joining the meeting via telephone had to leave the meeting so David Lucas suggested that Board go ahead and vote on KENA/APCO's proposal to go with population. Chairman Lucas asked for a motion and none was made. The discussion will continue.

Administrator's Report: John Patterson

EFT Project:

- The EFT Project is moving forward. There is a test plan that will be distributed to the carriers for volunteers to assist with this.
- Actual testing will not begin until January.

Personnel:

- Trying to narrow the numerous amount of applications received down to 10 and will go from there.

Financial Report:

- Working on PSAP applications.
- In the process of getting a financial report from GOT.

Status of 911 in Kentucky:

- The report to Aldona Valicenti was a draft.
- The report was given to the Board last month.
- Aldona will give a report to KENA/APCO January 11, 2001 in Elizabethtown.

Audit:

- Contract has been approved.
- John and the auditor will begin working together on January 8, 2001.
- The audit will start in John Patterson's office and will move on to carriers that are picked by the auditor.

- The next audit will begin January 2002.

The meeting was adjourned at 3:30 p.m. The next meeting will be held January 25, 2001 at 1:00. The PSAP Committee will meet at 9:00 a.m. The meetings will be held at #21 Millcreek Park.

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

21 Millcreek Park

Frankfort, KY 40601

Special Board Meeting

November 30, 2000

Members Present:

Richard Guittar, Ken Hardin, Dee Hopper, John Schmoldt, Forest Skaggs

Members Absent:

Steve Hillsman, David Lucas

Vice Chairman Richard Guittar opened the meeting at the CMRS Board Office at 21 Millcreek Park at 1:05.

- Review of minutes from October 26, 2000 meeting.

Motion by Hopper to accept minutes as written, seconded by Schmoldt, vote was unanimous.

- Skaggs - PSAP Report
- Four counties were approved at this mornings PSAP Committee meeting, they are; Powell, Taylor, Mercer and Pendleton.
- To date the Board has received 74 applications, the Committee has received 71 of them, 52 have been approved, 20 are pending and 2 have withdrawn.
- Seven more applications are expected
- Patterson - Cost Recovery Report
- Committee met this morning and had a conference call with a representative from XYpoint. They submitted a plan to the committee, the committee feels that additional follow up and will send XYpoint a template which will also be sent to all the carriers which a sample of the kind of information the committee wants to have. This is the only application received; there has been no follow up from BellSouth, Powertel, Tritel and Sprint.
- EFT- Tritel, Appalachian, Powertel and BellSouth have volunteered to help with SoluTech testing there is no test plan in effect as of yet.

- Administrators Report
- Personnel- 90 applications have been received for the full time position. Patterson will go through them and cut them down to 10 possibilities at which time he will have 2 persons from GOT, one from OGI and a Board member go through these and break them down to 5, these are the ones that will be interviewed. Guittar volunteered to be on this committee.
- Financial Report – Handouts given, report does not seem to be entirely correct. The overall fund total (\$13.9 million) does, however, appear to be correct. Some checks have been sent to Revenue in error. Patterson is attempting to track them down as is Susan Bailey
- Audit- Patterson will meet with the Crowe Chizek auditor on December 5th to get the audit off the ground.
- 911 Coordinator- Tom VanHorn conducted a survey regarding the status of 911 in Kentucky, his final report was submitted to Aldona Valicenti as well as handed out during the meeting. Anyone who has comments regarding the report or establishment of the position is encouraged to send a letter to Aldona.
- Regulations-
 - The LRC has decided that the Interim Committee can meet during the break and the Energy Committee can and will meet on December 7th - approval of the regulations can conceivably be achieved at this time.
 - We do not have a regulation for disbursement of funds based on call counting; this needs to be done.
- There was a lengthy discussion on what the cut off date should be for PSAP applications. It was agreed not to change the current cutoff date (December 31, 2000) as established back in the spring. The consensus is that everyone has had nine months to get this done and that should be enough. Several PSAP representatives present volunteered to help those jurisdictions that are still in the process.
- After much discussion (David Lucas participated by conference call) concerning whether to change the "Volume formula" for disbursement of funds to one based on population, a motion was made by Guittar to table the issue of Call Counting until the December 14th meeting, seconded by Lucas, vote was unanimous.

Motion to Adjourn by Hopper, seconded by Patterson, vote was unanimous.

The next meeting will be at the 21 Millcreek Park complex, December 14, 2000 at 1:00. The PSAP Committee will meet at 9:00 and the Cost Recovery Committee will meet at 11:00.

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

21 Millcreek Park

Frankfort, KY 40601

Special Board Meeting

October 26, 2000

Members Present:

Richard Guittar, Ken Hardin, Dee Hopper, Steve Hillsman, David Lucas,

John Schmoldt, Forest Skaggs

Chairman David Lucas opened the meeting at the CMRS Board Office at 21 Millcreek Park

at 1:30.

- Review of minutes from September 21, 2000
- Corrected typo page 2, subscriber was spelled wrong
- Overall balance figure was wrong, corrected to \$11,700,594.01

Motion by Skaggs to accept minutes as amended, seconded by Hopper, vote was unanimous

- Skaggs PSAP Report
- Hancock County and Henderson Emergency Center were approved today, other applications are still outstanding
- Committee has looked at 63 applications, 47 of them are complete and these locations have been certified.
- Patterson's Cost Recovery Report
- Committee has reviewed applications for cost recovery from Tritel, Suncom, Powertel and Sprint. The committee has questions for all the applicants, and will attempt to have a conference call or face to face meeting with the afore mentioned carriers prior to the next Board meeting in order to get The Committee's questions answered.
- BellSouth was not reviewed today but will be reviewed at the next Cost Recovery meeting
- Presentation of EFT by John Gootee of SoluTech and Shawn Cooper of GOT, some of the items reviewed are as

follows:

- Project Overview
- What is EFT
- What does the CMRS Web Site do
- Security
- How to use the Web Site

The Board suggested several changes and these will be made by SoluTech

The Web Site address was available to everyone present

- Administrators Report
- The KENA/APCO Conference was a huge success, based on feedback Patterson will hold three regional wireless implementation meetings across the state as follows:

November 13th at the Holiday Inn in Lexington

November 15th at the Center for Rural Development in Somerset

November 17th at the Holiday Inn in Hopkinsville

- KENA/APCO will ask the Legislature to change the way the volume funds are disbursed; they want to carry it out by population. The CMRS Board needs to decide whether or not to endorse this.
- Personnel CMRS Board needs: Hiring a full time permanent staff position has progressed and a list of candidates should be available by November 16th. The position has been created as a grade 15, and will be focused on bookkeeping and accounting. Realistically someone should be on board by January 1, 2001
- Financial Report – One from Susan Daniel is included in the packet, some figures are erroneous, John has discussed this with Susan. The total is presumably correct.
- Regulations - Jason Underwood with Senator David Williams office contacted Patterson last week with questions about disbursement, specifically where 911 money was for Northern Kentucky. CMRS money was questioned and Mr. Underwood was curious about actual amounts. Mr. Underwood agreed that funds would not likely be available until January which is the first likely time that the Energy Committee will meet due to the current conflict and the unlikely possibility of resolution given the elections changes to the legislature.
- Audit - The contract has been delayed and is waiting for signature by the Board's lawyer.

Motion to adjourn by Hardin, seconded by Hopper, vote was unanimous.

The next meeting will be at the 21 Millcreek complex November 30, 2000 at 1:00. The PSAP Committee will meet at 9:00. The Cost Recovery Committee will meet at 11:00.

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

21 Millcreek Park

Frankfort, KY 40601

Special Board Meeting

September 21, 2000

Members Present:

Richard Guittar, Dee Hopper, Steve Hillsman, Forest Skaggs

Members Absent:

Kenneth Hardin, David Lucas, John Schmoldt

Meeting was opened at the CMRS Board Office at 21 Millcreek Park by Vice Chairman Richard Guittar at 1:05.

- Introduction and welcome of the newest Board Member Dee Hopper of Christian County who is replacing Shelby Horn.
- Review of minutes from August 24, 2000
- Sentence regarding acceptance of Verizon's plan was erroneous, sentence was stricken
- Energy Commission should be Energy Committee
- Typographical error, peruse should be pursue
- Under regulations, should read all interim committee meeting are suspended
- Typographical error under regulations, word "has" was changed to "have"
- Next meeting date was left out, it will be October 26, 2000

Motion by Skaggs to accept minutes as amended, seconded by Hillsman, vote was unanimous

- Skaggs PSAP Committee Report
- The committee did not meet on this day; Skaggs handed out an updated list of all applications received etc.
- Fleming, Jessamine and Mason Counties have requested applications
- The PSAP Committee will meet October 26, 2000 at 9:00.
- Patterson handed out the updated PSAP map

- Cost Recovery
 - Tritel (Suncom) has sent Patterson a draft of their cost recovery plan; it has not been reviewed yet.
 - Powertel gave Patterson a draft a month ago and sent him a note September 20th stating they are still working on it and to please not share it with anybody as some things will change. Patterson will contact Bill Raines of Powertel in order to get the draft in front of the Committee and get feedback from them.
 - Sprint has indicated an interest in formally submitting a plan and would like to meet with the Cost Recovery Committee.
 - Patterson will contact Tritel, Powertel and Sprint and attempt to set up a meeting between these companies and the Cost Recovery Committee enabling them to present their plans for cost recovery.
- Administrators Report
- Personnel
 - the job description has been written, Board Members comments were added and it has gone to the Personnel Cabinet, hopefully they are getting close to advertising.
- Financial
 - Report-(projection page in packet), all data has been entered in the system,
 - June data reflects that subscriber numbers have increased to 931,424 and monthly revenue is up to \$642,222; one company did not report anything to us and one other company is not returning phone calls;
 - Susan Daniel's end of August report was also handed out. it shows that the Board has a current administrative fund (1300) balance of \$149,092.02, carrier fund (PRVD) balance of \$5,583,073.14, PSAP volume fund (PVOL) balance of \$2,787,841.53, and PSAP pro rata (PPRO) balance of \$2,787,841.53. Total overall balance is \$11,700.594.01
- Regulations
 - Until the Interim Committee on Energy is given the authority to meet, the Boards regulations are in limbo. The Board has no authority to approve cost recovery plans, certify PSAP's or disburse money because the statute says regulations must be written to guide these processes. Without the regulations in force the Boards hands are tied. Patterson has been told that the Energy Committee probably will not meet until after the November elections. No money other than administrative expenses is being spent; it is all being held in reserve until the regulations are approved.
- Electronic Funds Transfer- (SoluTech)
 - this process will be accessible via the Web; carriers can go to the CMRS Home Page and the option there is to go to the EFT, new carriers can also fill out the New Carrier Data Sheet. Each carrier will have a password to access this program. Patterson will approve all entries. If there are any changes made to the form, Patterson will call the

carrier to verify them. The Board made some suggestions regarding changes to be made to the form:

- Carriers will receive a confirmation number
 - A printout of the entries will be made available to the carrier
 - None of the Above will be added to the options
 - Carriers will give Patterson a list of all the counties they are servicing
-
- John will check with SoluTech regarding issuing passwords to carriers
-
- Audit
-
- A copy of the signed contract was included in the packet
 - The audit will be done by using a sampling process

Dick Bartlett discussed the 911 Auto Dial on some cell phones. This presents a problem when the phone is stuck into a pocket as the phone has the ability to dial 911 and can tie up the otherwise needed lines for a long period of time. Dick suggests that the factory reps be contacted to work through security to get this auto dial feature turned off, the consumer will then have to request that it be turned on. Much time is wasted in trying to track these phone calls down. The Board needs to take action notifying the PSAP's of this feature and letting them know that it is a real problem, as well as talking to the carriers. There is really no value to having this feature as the "1" key must be held down to use it, and it is just as easy, if not easier, to dial 911.

Motion to adjourn by Hopper, seconded by Hillsman, vote was unanimous.

Next meeting will be at the 21 Millcreek complex October 26, 2000 at 1:00. The PSAP Committee will meet at 9:00. The Cost Recovery Committee will meet at 12:00

GOVERNORS OFFICE for TECHNOLOGY

COMMERCIAL MOBILE RADIO SERVICE

EMERGENCY TELECOMMUNICATIONS BOARD

#21 Millcreek Park, Building 2

Frankfort, KY 40601

Phone (502) 573-1002- Fax (502) 573-1711

E-mail : CMRSBOARD@mail.state.ky.us

Web address : cmrsboard.state.ky.us

Special Board Meeting

August 24, 2000

Members Present:

Richard Guittar, Kenneth Hardin, Steve Hillsman, David Lucas, Forest Skaggs, John Schmoldt

Meeting was opened at the CMRS Board Office at 21 Millcreek Park by David Lucas at 1:00

- Review of minutes from July 27, 2000
 - Motion by Guittar to accept minutes as written, seconded by Hardin, vote was unanimous.
- Skaggs PSAP Committee Report
 - 11 to 12 applications were reviewed on this date
 - A total of 61 applications have been filed
 - 58 have been reviewed
 - 45 have been submitted to the Board
 - 2 have not been inspected by Patterson as yet
 - 9 have information that is outstanding

Cost Recovery

- Committee met on this date
- The only application received has been from Verizon. The committee will recommend that the Board approve Verizon's application upon ratification of the regulations and the approval would be following stipulations:
 - That we will not accept any expenses prior to July 1, 1998 with one exception that has

- been granted for software installed on their mobile switching centers for 911 purposes only,
 - they must update a list of resellers on a quarterly basis
 - the Board will sign the non-disclosure agreement that Verizon has sent provided it is not signed under Georgia laws, but Kentucky law instead and the records custodian is listed as the CMRS Administrator.
- Verizon's application will be submitted to the Board for cost recovery approval after the regulations are approved.
- Patterson will send a letter to Verizon stating the Board cannot take any action until the Energy Commission meets.
- CMRS will be in a position where money is not being received from all resellers but we are paying cost recovery to resellers, the committee has agreed that it needs to step up their efforts pursue resellers as it has identified 12 in the state and money is only being received from 3 of them.
- Letters have been sent to all carriers inviting them to begin cost recovery as well as notifying them which PSAP's have been certified.

Administrators Report

- PSAP Applications (updated map handed out)
 - Hancock County has submitted an application
 - Pendleton, Clinton, Monroe, Green, Mercer and Jessamine Counties have all indicated in the last two weeks that they intend to submit applications.
 - Mt. Sterling has only sent an application page
- Financial Report
 - The fund currently has a value of \$10,777,768.74.
 - The Board's fund is currently \$153,171.96.
 - Interest is basically real close to \$50,000.00.
- Audit
 - Proposals were submitted by Crowe,Chizek and Potter and Company.
 - Audit Committee has reviewed the proposals and has selected Crowe,Chizek as the preferred bid, we have not, as yet, begun negotiating a contract with them.
 - The Auditors Office and Nancy Haggerty will be asked to sit in when the contract negotiations are taking place.
 - The contract will be brought to the next Board meeting.
- Electronic Funds Transfer
 - Meeting with Solutech on August 23, 2000. Handouts given, project is about ready for kick off. It should begin within 90 days.
- Personnel Issues
 - The job description has been written (included in packet) and will be forwarded to GOT in order to get a permanent person hired. The Board will give their input as will Susan Lambert of OGI.

- The nomination for the new Board member is on the Governor's desk, it is not currently known who has been appointed.
- Regulations
 - Regulations are currently before the Joint Interim Committee on Energy.. Republicans and Democrats can not agree on the composition of the various interim committees - thus all committee meetings are suspended. This means that unless the Energy committee meets long enough to approve the Board's regulations, the Board will not have these Regs. in effect by September as was previously hoped. The changes to the regs requested by the LRC staff has been completed. Patterson met with the Majority Whip of the House the week of the 14th, and he is trying to get some resolution on this matter. Patterson will contact Tom McKee, Energy Committee Chair.
- Phase One Implementation
 - SCC has written a document (included in packet).
 - This document will be sent to all certified PSAP's along with one from NENA.

Motion to adjourn by Hardin, seconded by Patterson, vote was unanimous.

The next meeting will be in the 21 Millcreek Park conference room on October 26, 2000 at 1:00. Future Board meetings will all be at 1:00 until further notice.

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

21 Millcreek Park

Frankfort, KY 40601

Special Board Meeting

July 27, 2000

Members present:

Richard Guittar, Kenneth Hardin, Steve Hillsman, David Lucas, Forest Skaggs, John Schmoldt

Meeting was opened in the Kentucky School Board Association conference room by David Lucas at 1:00.

- Review of minutes from June 22, 2000
 - Guittar had a question regarding third list (bullet 5 under PSAP report), Patterson clarified
 - Lucas had a question the Administrators Report, bullet 5, regarding cost recovery, Patterson stated it should have read going ahead with Electronic Funds Transfer.
 - Guittar questioned the acceptance of the minutes, it should have read; motion by Guittar to accept minutes as amended.

Motion by Guittar to accept minutes as amended, seconded by Hardin, vote was unanimous.

- Skaggs PSAP Report
 - Committee has reviewed 50 applications and have determined 45 to be complete
 - 3 are pending, 2 have voluntarily deferred review at this time
 - PSAP's that are lacking required information have been notified as to what is still needed in order to certify them.
- Regulations
 - Handout included in packet, James, "Cam" Cantrell, GOT lawyer was present; he will review the changes made by Patterson and they will meet at a later time. The changes requested by LRC are relatively minor (eg. 13B should be used in place of 13b.)
 - Lucas proposes that the board changes the July 31st date to September 25th to approve the remaining applicants. Meeting will be at 10:00 at the Millcreek complex.
 - Conference Call will be held on September 29th at 10:00, if necessary for any last minute certifications.,

Skaggs will set it up.

- Motion by Skaggs to change the PSAP certification date July 31 to September 25th, seconded by Hardin, vote was unanimous.

- Cost Recovery

- Only application before the committee is from GTE (now Verizon Wireless) and the committee is continuing to work with them, a number of changes were imminent and they were asked to rewrite their plan and submit a revised plan. The review of this rewrite will be August 1st.
- The Board has sent letters out to all of the carriers which stated that we are ready to hear from them, also reminding them that the statute requires call counting, as well as who the check should be made out to and where they should be sent.
- The carriers have been notified of all PSAP's that we have received packets from and the ones that have been certified.

- Administrators Report

- Financial

- Board expenses, the Boards current cash reserve has grown by \$25,000.00
- the amount to be distributed for the first quarters' disbursement to certified PSAPs is \$519,007.88.
- The amount in the frozen fund is \$2,119,000.00
- the amount for volume distribution continues to grow and is projected to be close to \$4,000,000.00,
- the carrier fund also continues to grow and is up to \$5,283, 000

- Audit

- The first meeting of the audit committee was held July 24th, to discuss the issues. By the next Board meeting the results of the scoring should be in. There is a vast difference between the bidders as far as dollar amounts and time to be spent conducting the audit.

Motion by Lucas to proceed with GOT Electronic Funds Transfers, seconded by Guittar, vote was unanimous.

- Personnel

- Patterson has submitted to GOT enough information so that they can expand the personnel cap and a person can be hired. Patterson will proceed with writing a job description. This person will be shared with OGI who in turn will provide clerical support for Patterson.

Motion to adjourn by Lucas, seconded by Hardin, vote was unanimous.

The next meeting will be September 21, 2000 at 10:00 in the 21 Millcreek conference room.

June 22, 2000

Members present:

Richard Guittar, Kenneth Hardin, Steve Hillsman, David Lucas, Forrest Skaggs

Absent:

John Schmoldt

Meeting was opened in the Administrative Office of the Courts Conference Rm. by David Lucas at 10:16

- Skaggs PSAP report
 - One conference call was cancelled
 - Another conference call did not have a quorum
 - The PSAP Committee met prior to this meeting with the following results:
 - To date the Board has received 20 or 21 applications, of these, 8 have been reviewed and 8 of 16 are pending with 3 being approved today
 - Motion by Skaggs to create a third list of applications that have been filed that do not meet the statutory requirements, no action will be taken on these until they concur. Motion seconded by Guittar, vote was unanimous
 - Boyd and Morehead have not taken action to move to the 911 status, do not have a routing resolution or have not purchased the equipment yet.
- Cost Recovery
 - Application received from GTE Wireless requesting payment for the entire period. GTE has been asked to clarify some differences in engineering activities , they need to submit invoices
 - The Committee has recommended that the CMRS Board should only accept for payment expenses that incurred on or after July 1, 1998. This is consistent with the beginning of the audit period and the statute went into effect on July 15 and is the recommendation of the Board.
 - Based on the statute and regulations, estimating for monthly recurring charges should be based on actual anticipated expenses with specific detail. The committee has agreed that rather than asking for estimates it should be paying for actual expenses and monthly recurring charges should not be accepted if they are only estimates of future expenses.

Motion by Patterson that the Board accept payment of all expenses incurred on or after July 1, 1998, seconded by Hardin, vote was unanimous.

- Administrators Report
 - Maps were handed out explaining which sites Patterson has visited.
 - Applications continue to come in, have received them from Webster and Pulaski and Fleming has made phone contact
 - Financial Report
 - Report by Susan Daniels is incorrect, the PPRO figure should be \$2,119,000.

- Approximately 9.6 million is the total for all accounts
- \$11,930.00 deposited in the Board Account, after expenses the Account balance is \$2,877.23.
- NENA Applications (Report Card to the Nation)
- NENA asked each State Coordinator to send these out. (NOTE: They were mailed 6/27/00)
- GOT asked the Board to consider going ahead with cost recovery in spite of the Board wanting to defer this due to the audit and have asked the Board to carry this forward. Motion by Guittar to defer and seconded by Lucas, vote was unanimous.

- Presentation:

Tom Breen, ENP, of Bell South Telecommunications. Mr. Breen can be reached at (404) 927-2577.

- Review of minutes from June 25, 2000

- Typographical error was corrected, word "asked" was omitted.
- Financial numbers were correct

Motion to accept minutes as amended by Guittar, seconded by Hardin, vote was unanimous.

- Administrators Report (continued)

- Audit:
- Cam Cantrell, GOT Lawyer, will be a stand in for the Board during the audit along with Nancy Haggerty who is an audit specialist, as well as Mike Presson.
- Insurance:
 - Patterson spoke with Bill Hume of the E.F. Ford Agency regarding the questions that we raised concerning fines and penalties. Mr. Hume stated:

If the Board and its members are sued individually and the judgment goes against the Board and its members citing the decision was erroneous, the policy will cover the Board and its members. If, on the other hand, a decision against the Board finds that the Board was grossly negligent or violated a law, the judgment will be paid by the insurance but the fines, punitive damages and or penalties awarded will not be covered.

Lunch Break 12:00-1:00

- GTE Presentation: Handouts
- Disbursement of Funds:

- All PSAPs that intend to apply have not, about 40 applications have been received and

10, 20 or more are anticipated, may have a total of 65.

- Based on the number of PSAPs certified it is expected that on August 15 we will disburse \$11,000.00. This number will decrease as PSAPs continue to certify but at the same time

the revenue continues to climb. This is ProRata funds.

- Disbursements will be made as follows: ProRata and frozen fund payment on February

and on May 15th a ProRata and the first call counting disbursement, based on the

January, February and March call counts.

Patterson motions that frozen fund money be released to any PSAP that is certified by close of business December 31st of this year, on February 15, 2001, Lucas seconded, vote was unanimous.

Patterson makes another motion that the volume disbursement be made to any PSAP certified by December 31st based on the calls received during the first quarter of 2001 and such payment to be made on May 15th and include all money in the volume account. Motion withdrawn.

Lucas motions that any PSAP certified up until the first quarter of 2001 will be eligible for volume disbursement, based on the 1st quarter of 2001, May 15, 2001. Guittar seconds, vote was unanimous. The end of the quarter will be March 30th.

Lucas appointed Steve Hillsman to the Cost Recovery Committee.

Dick Bartlett talked about GMA suggesting that recycled cell phones be given to battered women, the plan as such will not work, however Patterson, Bartlett and Mary McCormick will attempt to meet with the WHAS Station Manager in Louisville to discuss this program.

Motion to Adjourn by Lucas, seconded by Patterson, vote was unanimous.

Next meeting will be July 27th at 1:00, in the Millcreek complex.

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

23 Millcreek Park

Frankfort, KY 40601

Special Board Meeting

May 25, 2000

Members present :

Richard Guittar, Kenneth Hardin, Shelby Horn, David Lucas, John Schmoldt, Forest Skaggs

Meeting was opened in the Public Advocacy Conference Rm. by David Lucas at 10:03

- Review of minutes from 4/20/00 meeting
- Under heading Carriers, there should have been only one motion listed with two parts: 1. encouraging carriers to start presenting cost recovery plans and to ask the cost recovery committee to recommend when carriers should be eligible for payments from approved plans
- In future minutes the word "Board" should be used in place of "we".
- insert House Bill 605 when referring to the legislation initiated by the Board in the last session
- July meetings are to be held on the 13th & 27th, not the 13th & 14th as stated with the intention that one of these will be cancelled.

Motion to accept minutes as amended by Schmoldt, seconded by Horn, vote was unanimous.

-

- On-site Databases

Overview

- Many centers have purchased off-site database services from the contracting 911 service provider for retrieval of location data for wireline calls.
- However, some centers in Kentucky have chosen to use a database stored and maintained at their PSAP location and maintained by PSAP personnel.
- Many knowledgeable persons have stated that the on-site systems will have to convert to off-site in order for enhanced 911 to work with wireless calls. Recently the Board Administrator and Chairman heard Bob Gojonavich (NENA National's Chairman of their Technical Committees say that the expense of making these systems work will be very high and not a realistic choice for the future.
- Several Kentucky PSAPs have asked if the Board will certify PSAPs that are able to demonstrate the ability to receive wireless enhanced 911 calls with an on-site database

Presentation: John Hamm & Dwight Clark, (Rowan Co. 911, Doug Sanders (INTERACT software), Darrell Mason (GTE)

- Rowan Co. feels want to retain their on-site system because they have more control over the database as opposed to an offsite. For example, updates made by GTE can be reviewed right away by PSAP personnel and be assured that it matches their CAD records and make the necessary corrections when necessary. Rowan Co does not feel it is in their best interest to to move the database offsite. They will do whatever is necessary to get the system and their CMRS application on track and will buy whatever they have to in order to make it work.
- Darrel Mason distributed handouts describing a network utilizing X.25 circuits from on-site systems back to GTE 's selective router that will allow the PSAP's equipment to perform an ALI dip on -site for wireline data and an off-site dip to GTE Alisha database for wireless data. GTE assures the board that this system will work. John Hamm of Rowan County agreed..
- Doug Sanders presented a letter from Wien Van der Groep (INTERACT software) who supplies the 911 equipment in use by Rowan Co. and several other on-site systems in Kentucky. The letter provided another way of solving this problem and also noted that the hardware and software as currently installed is capable of distinguishing between a wireless and wireline call.
- The Board agreed that the scenario presented by GTE seems feasible. Members would like more time to study the letter from INTERACT and asked that Doug Sanders be available to provide additional clarification.
- Rowan County representatives were told they would need to provide a resolution binding them to purchase the necessary network elements if certified by the Board and that they would also have to provide copies of letters requesting wireless service.

■ PSAP Certification Committee

Committee Chair Forest Skaggs reported that

- the committee has been trying to meet on a weekly basis via conference calls and also met prior to today's Board meeting, and have met 5 times since the last Board meeting.
- Applications from Newport and Logan County will be recommended to the Board for certification at the July meeting
- Applications that have been reviewed and will require submittal of additional documentation include Boone County, Campbell County, Boyd County, Morehead Rowan County and Covington - these are outstanding and are the only ones that have been presented to the committee for action.
- This morning it was agreed to step up our committee meeting review process and we have scheduled a couple more conference calls for early next month and will probably have some full day meetings as we get more applications. The committee has looked at eight applications so far.

- Patterson stated that if you count Louisville as two and KSP as 6, we have 38 PSAPs. (Maps showing the status of applications statewide were distributed).
- Cost Recovery Committee
 - met on May 8th via teleconference, and makes the following recommendations:
 - subscriber based plans will be reimbursed only for subscribers in the area being implemented,
 - costs need to be segregated by router or some other division that will allow a phased roll out,
 - plans using third party vendors should provide details regarding the specific services performed by the vendor, typical work performed internally,
 - indirect costs performed by headquarters personnel must be identified and specific to Kentucky general headquarters activities, e.g. monitoring Kentucky's legislation and industry forum are not reimbursable (this is a specific recommendation by the committee and needs to be ratified).

Guittar moves that Board approve the committee's recommendations, Hardin seconds, vote unanimous.

Lunch Break 12:00-12:30

The new address of the Board office was distributed

Chairman David Lucas, noting that Board member Shelby Horn is resigning from the Board after this meeting and will move to Indiana, presented her with a plaque commemorating her long and distinguished service to the 911 community in Kentucky, her work in establishing the CMRS Fund and service on the Board.

■ Administrators Report:

- PSAP Application inspections have been very time consuming. Applications not yet received have little chance of getting certified before July 31st.
- Financial:
 - Wireless subscribers have increased by 50,000 in the last two months (ending in February- now at 846,000 statewide); March data is incomplete.
 - \$10,000 spent in month of April which includes salaries and all expenses, local service, phone bills and staff travel and food for meetings, FedEx, computer for staff person.
- Permanent Staff - The budget should allow the Board to hire someone in excess of \$40,000 a year to do the accounting and data management. OGI has agreed that in exchange for bookkeeping services for their office, they will pay 20% of the this person's salary and will provide clerical support to the CMRS Board. The next step is to begin writing job description and interviewing.
- Audit - Bob Langley has suggested that the Administrator serve on a committee to score the audit proposals, along with Mike Preston from GOT, someone who is familiar with State audits, and at least one other Board person be involved. Richard Guittar volunteered someone from his staff
- Electronic Funds Transfer - Tabled until the Board knows cost of the audit.

- Call Counting - Tabled until the Board knows cost of the audit.
- Regulations - Administrator sent a letter to the Regulations Compiler, Susan Wunderlich requesting extension to allow the ARR committee to meet before the regs expire..
- Replacement for Mike Barnes - Have applications from Beth Canutson (Sprint), Mark Freeman (Bluegrass - on file), Dennis Robertson (GTE) and Steve Hillsman (Tritel) have submitted names. Board will go ahead with the candidates it has.
- Replacement for Shelby - Administrator has solicited applications from around the state and has spoken to several women including Sandy Virgin (Boyd County) and Mary Mullins (Madison County).who have agreed to serve
- Call Counting Clarification-
 - Guittar says we are at the point where we have to say it will be a carrier funded count (a quarterly report). Guittar motions that the Board establish call counting requirements through the carriers based on what the regulation says. Patterson amends the motion to defer a decision on call counting until after the audit. Shelby amends the motion that the Board will be open to another auditable way to count calls. It was noted that the Board could change the methodology as new technology becomes available.
 - Skaggs motions that carriers be required to comply with the statute's call counting requirements. Horn seconds; vote was unanimous
 - Letters will be sent to carriers stating that they need to submit quarterly call counting reports.

Motion to Adjourn by Lucas, seconded by Patterson

Next meeting will be June 22, 2000 at 10:00 at 23 Millcreek Park, Building 2

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

100 Fair Oaks Lane

Suite 102A

Frankfort, KY 40601

Special Board Meeting

April 20, 2000

Members present Richard Guittar, Kenneth Hardin, Shelby Horn, David Lucas,

John Schmoldt, Forest Skaggs

Meeting was opened at 1:25

Future Meetings will begin at 2:30 as we will have a cost recovery meeting at 1:30

Lucas motions to accept the minutes, Guittar seconds.

Carriers:

Patterson motions that all carriers are encouraged to begin presenting their cost recovery plans and the Board also asks the cost recovery committee to and make recommendations to the Board as to whether or not we should begin paying carriers for an approved plan. Skaggs seconds. Vote was unanimous.

Insurance:

Bill Hume of the E.M. Ford Agency of Owensboro was present to discuss insurance liability.

- The Board itself cannot be sued, however individual members of the Board can be. The state

has sovereign immunity, the insurance company is covering the decisions of the Board that may effect it,

such as someone not getting money due them.

- Policy exclusions include:
 - A. Fines
 - B. Penalties
 - C. Liquidated damages under contract or statutes
 - D. Return of taxes or assessments, salaries or wages of any insured in connection to any investigation of a claim, or anything that is not insurable under the law including costs of investigations and its fee.

Budget:

- 8.6 million is in the fund now.
- \$4,238,000 for providers and an equal amount for PSAPS.
- The frozen fund amount is \$2,119,262.70.
- A decision has to be made by June 30th as to when PSAPS will have to certify in order to get a payment out of the frozen fund. This will probably be decided upon at the June 22nd meeting.
- Money in the last weeks is now in the mode of collecting for the quarterly and there is conflicting data from Cold Harbor accounting and Patterson's numbers.
- Patterson's numbers say the Board is collecting in the \$575,580 per month range and MARS' numbers say \$630,000. If Patterson's numbers are correct then the Board is collecting 1 ½ million dollars every 3 months, take 25% of that and that is what is available for distribution to the PSAPS.
- Administrative account has \$133,233.38, bills include one staff and the temporary, but no office space is being billed yet. This account continues to grow at the rate of \$381.00 a day, seven days a week

Audits:

Angela Robinson will be checked with regarding the standard for setting audits, specifically; can the Board take

advantage of audits initiated by carriers as a way to reduce our costs. It was agreed that the auditor should be a collector and designer of reports. The Board needs to set the standards and have an independent auditor carry them out.

Administrators Report:

- PSAP Applications:
- Packets received from PSAPs will be sent out to committee members by U.S. Mail and Patterson will e-mail each board member a report from the inspections.

Patterson has been to:

- Boone
- Cracken

- Grayson
- Logan
- Campbell
- LaRue

LaRue has various problems that need to be corrected so the report will detail some deficiencies; Patterson is comfortable with the others.

At least two days a week are spent meeting with applicants/inspecting. This will be four a week as well as teleconferences of one hour. We will meet on Mondays for one hour (tentatively) beginning the 1st, 8th and

22nd of May.

Cost Recovery:

- As of 4/20, GTE and Sprint are ready to begin cost recovery, the Board needs to let carriers know that the Board is accepting applications. The Board agreed that carriers might take some risk in submitting cost of coverage for ramping up service where there is no PSAP certified.

Financial Report:

- Expenditures- Patterson is checking on phone supplies and construction bills that are not understood; also
being checked on are office, travel and staff expenses. In the last 9 months approximately \$90,000 has been spent.

Legislation:

- Nothing to report, HB 605 died on the floor.

NENA Applications and Conference:

- Hardin, Lucas and Guittar will attend NENA, there will be a National Association of 911 Administrations meeting in the same locale as NENA.

Electronic Funds Transfer:

- The cost to develop this will be \$15,000 and \$90.00 a year to operate. There has not been the time to check out any other means but the Board needs to get EFT moving; the Board may find a cheaper operating plan but not cheaper recurring costs. The Board will delay EFT by six weeks until after the preliminary audit to understand our budgetary ability

Call Counting Discussion:

- Carriers must submit a quarterly report as to the number of calls forwarded to each PSAP. The Board is ready to

move forward on some call counting strategy that is totally paid for by the carriers. The Board can instruct the carriers that if they want cost recovery approved by us they will have to include a call counting

mechanism. Transfers to do not apply if (for example) two counties join together in a 911 center and

will have two dispatch centers that they transfer calls to. Another example of a transfer that will count

would be if one center gets a call and the caller needs another county and they are transferred. These

would be transfers between certified PSAPS.

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Regulations:

- Regulations have been filed and emergency regulations are in effect until June 19, 2000. Comments will

be necessary at the regulation hearing and to ask for an extension so the Board will have time to respond. The hearing will be May 22 at 10:00 in the GOT Directors SE Conference Room.

A new dispute regulation based on 13B needs to be written. The Board needs to create new regulations to handle

volume disbursement but this has not been started as yet. The Board also needs to move ahead expeditiously on this dispute regulation before our intent to promulgate expires.

Replacement for Mike Barnes:

- Patterson has received one application in addition to Mark Freeman, the Board has not heard from Mark as to

whether or not he is still good to go. GTE sent Dennis Robertson who is a network technical person.

- AT&T has a candidate by the name of Bill Dickerson, he is interested in serving, however the Board has not

received an application from him.

Personnel Issues:

Staff needs require the following skills:

- administrator twin (i.e. technical knowledge)
- executive secretary
- accounting bookkeeper (most important)
- familiar with state government

Lucas moved to hire a bookkeeper with knowledge of state government. Skaggs seconded.

Vote was unanimous.

Future board meeting dates:

July 13 and 27

August 24

September 14

October 26

November 30

December 14

Motion to adjourn by Schmoldt, seconded by Guittar.

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

100 Fair Oaks Lane

Suite 102A

Frankfort KY 40601

Special Board Meeting

March 30, 2000

Members present: Richard Guittar, John Schmoldt, Shelby Horn, Forest Skaggs, and Kenneth Hardin, David Lucas

Meeting opened by David Lucas at 10:13 a.m.

Minutes from the February 24 and March 16 meetings were reviewed. The amendments to 02/24/00 are as follows:

- Need to state whether the vote was unanimous or any opposition.
- In the Audit section, first bullet, two typographical errors were corrected.
- Page 2, first paragraph, 2 ½ % was changed to 5%.

Lucas motions to accept February 24 minutes as amended. Guittar seconds the motion. Approval was unanimous.

The amendments to 03/16/00 are as follows:

- Second page, 1st statement; noted that there was no second motion.
- Under the heading Line-logg-r, it should read "spare parts" not extra box.
- Two typographical errors were corrected.

Patterson motions to accept March 16 minutes as amended. Schmoldt seconds the motion. Approval was unanimous.

Audit: Bob Langley (RFP Draft Proposal)

- Change wording to say twice monthly rather than bi-weekly.
- Added the FCC order number.
- Scheduled pre-bid conference for April 28 at 1:00 p.m. in Training Room A &B at Cold Harbor. May 31st final day for submission.

- Take out language about finances and assets of the Board let applicants ask those questions so that the assets and liability can be clearly defined in the pre-bid conference.
- Questions and answers from the pre-bid conference will be posted on the web site so that other bidders can see what happened in the conference.
- Change the draft to say, "The CMRS Administrator, as directed by the Board, is the authorizing agent."
- By July 1 notice will have been given and a contract signed for an agency to proceed in the audit process.

Suggested that the first audit run from July 15, 1998 through June 30, 2000. This will schedule the next audit just as the 2002 Legislature begins, in case additional budget is needed. The board can make PSAP eligibility effective as of late July 2000. Thus, no PSAP's will be eligible for audit.

The proposal will go on the Internet web site by April 12.

Discussions on sub-committee for Cost Recovery and PSAP's

Carrier – Cost Recovery Committee

Richard Guittar

John Schmoldt

John Patterson - Chairman

PSAP Certification Committee

Forest Skaggs - Chairman

Shelby Horn

Kenneth Hardin

Administrator will present his review of applying PSAPs and will serve as staff without a vote.

Lucas is an alternate for each sub-committee in the event a member must recuse themselves due to a conflict of interest.

Lunch

Administrator's Report

PSAP Applications

- There are ten PSAP applications received. Eight of which are completed packets, two are applications.

Financial Report

- No new news on interest. John requested that information and was unable to obtain it for the meeting.
- No new expenditures, with the exception of personnel costs.
- Board needs to decide on what type of position they want for Administrative staff eg. Executive Secretary or Principal Assistant
- Ordered a computer at roughly \$3000

Legislation

- House Bill 900 (PBX/911 Coordinator), died in committee
- House Bill 605 (CMRS Bill), died in committee
- Senate Bill 201(KSP/PSAP), after amendments where made the bill was voluntarily withdrawn

NENA

- All new memberships have been sent in. If you plan on going to the NENA conference you need to get your reservations made: (air, lodging, etc.).

Electronic Fund Transfer

- Trying to find other vendors other than Global Payment Systems
- Expect to have another alternative by next meeting

Line-logg-r

- RAN sent their proposal and Bell South is by far the best deal
- John Garner – (formerly Memphis, Tennessee 911 Coordinator, now with TriTel Communications) presented the board with methods of call counting used in Shelby County, Tennessee.

Regulations

- Regulations compiler requires the board do a Federal Mandate Analysis.
- Statute conflicts with itself regarding how subscriber data can be used.
- FCC expects board to come up with a method of resolving disputes. Existing regulation is trashed, dispute regulation must follow KRS Chapter 13b.
- Public Hearing scheduled for May 28, 100 Fair Oaks Lane, 1st floor conference room.
- After hearing board must respond within 2 days to get extension and not have lapse in regulation..

Insurance

- Board members are covered individually
- Decisions by the board are covered by insurance, exception would be capricious decisions
- Bill Hume will attend the April 20 meeting to go over insurance

Personnel Issues

- Automatic raises can be prevented. State personnel needs in writing that a raise be waived a month before date of scheduled raise.
- There are no bonuses or awards allowed for non-merit employees
- Board does have the authority to grant any raise it wants, but it will be part of base salary.

Next meeting the board will discuss:

- Permanent staffing: Guittar suggests that a job description be prepared before the next board meeting.
- Set meeting dates for the remaining calendar year.
- Volume count
- Budget

Schmoldt motions to adjourn. Hardin seconds the motion. Approval was unanimous.

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

100 Fair Oaks Lane

Suite 102A

Frankfort KY 40601

Special Board Meeting

March 16, 2000

Meeting open at 10:00 a.m. by Richard Guittar

Members present: Richard Guittar, John Schmoldt, Shelby Horn, Forest Skaggs, and Kenneth Hardin

Members absent: David Lucas

Minutes from last meeting were not addressed.

Audit

Bob Langley presented the 1st draft of the Request for Proposal for the audit services.

- Issues of confidentiality – statements have been added to the proposal concerning confidentiality.
- Proposal will be posted on a web site for bidders. This advertisement is to run 30 days. During the posting time and the deadline, it was suggested that a pre-award conference be held to answer any questions from bidders.
- All bidding correspondence will go to Administrator directly.
- It was suggested that an evaluation committee be appointed for this process. Members suggested are John Patterson, Mike Presson, 1 or more Board members, and person familiar with audits.
- Working on getting the proposal ready to be posted on the web page on April 1. Hope to be able to award contract by June 1.

Board agrees to review proposal and vote next board meeting.

Presentation of PSAP application from Sam Bard, Logan County Emergency Operation Director

- Mr. Bard is the first to present the PSAP Certification application.
- Logan County 911 has been operational since December 22, 1999.

Board was impressed with the presentation package. Gentleman from Bullitt County reminds board that all PSAPs packets will not be as elaborate as Logan County.

Guittar suggests that a sub-committee be formed for review of the PSAP applications

Lunch

Administrator's Report

- Insurance – received the official policy. Suggestion was made that Bill Hume or qualified personnel be asked to attend Board meeting to explain policy.
- Financial Report – interest has been posted in the amount of \$7845.45.
- NENA – need to get applications for NENA membership. Reminded board of the deadline for registration for the National NENA Conference.
- NENA TDC Meeting – discussion on automatic crash notification. It is estimated the all GM vehicles will be equipped with this device by the year 2003, which would use wireless telephone to reach 911. ACN operators will need jurisdiction information to route call to proper PSAPs.
- EFT (Electronic Fund Transaction) through SoluTech – estimated at \$15,000 at 15 cents a transaction. GPS (Global Payment System) is \$469.00 development, and \$362.00 monthly. Need to check with IVR about the touch tone system and the price.
- GTE – has a problem with confidentiality issue. They are ready to submit cost recovery if we make a resolution stating that the information would be separate from the carrier representatives on the board. Administrator has encouraged GTE to go ahead with the cost recovery and clearly mark what is confidential.

Patterson makes a motion to encourage GTE to submit a cost recovery plan and the board will take appropriate and agreed action to approve or disapprove the cost recovery plan. No second motion. Motion died.

Members sign a Non-Disclosure Agreement.

Line-Logg-r – Mark McChesnay (GOT) has been working to reduce the cost of the line-logg-r and if his best case scenario plays out then we will be able to cut a ninety-thousand dollar budget by fifty-thousand.

- Bell South - has made a proposal to provide line-logg-r
- Cost includes modem and hardware, no software
- Within the maintenance fee requires that there be spare parts at every PSAP location.
- Bell South has broken configurations down in small, medium, large, and extra large sites.
- Bell South suggests that the board request a similar configuration from RAN to have something to compare.

We could possible cut cost by collecting data once a week as opposed to everyday.

Richard Guittar participated in a conference call on the 14th with carriers. Recommendations from that discussion are:

- The current bill be amended, if possible, and eliminate call count requirements.
- It is suggested that the board request an opinion from the Attorney Generals office on the language referring to call count. Who reports the count to the board? PSAPs or carriers?
- Carriers request that legislation be reviewed to allow consideration that an estimate of a call count is utilized rather than the exact count.
- Request that line-logg-r architecture be considered so that it will allow consolidation of monitoring unit at the 911 tandem location rather than each PSAP.

Comments:

Regulations were rejected. April 15 at noon is the deadline to file corrected regulations. We need to find out what happens when regulations expire.

Guittar motions for adjournment. Schmoldt seconds. Approval unanimous

GOVERNOR'S OFFICE for TECHNOLOGY

Commercial Mobile Radio Service

Emergency Telecommunications Board

100 Fair Oaks Lane

Suite 102A

Frankfort KY 40601

Special Board Meeting

February 24, 2000

Meeting open at 10:10 by Davis Lucas

Members present: Richard Guittar, Shelby Horn, Kenneth Hardin, John Schmoldt, David Lucas

Members absent: Forest Skaggs, Micheal Barnes

Comments on the minutes:

KSP is an incumbent in many locations but they are not a PSAP in some locations.

Horn motions to accept the minutes, Guittar seconds. Approval was unanimous.

Audit:

Working with Bob Langley (GOT) to figure out how to begin the audit and how to write the RFP (Request for Proposal). A sample proposal was distributed.

- Procedure – develop a RFP, it would have to be posted on the Division of Finance web site for a period of 30 days. Within that 30 days there needs to be a bidders conference so bidders can come in and ask questions. The questions and answers would become part of the proposal. After the responses are received then an evaluation team, which would probably include one or more board members, someone familiar with audits, and someone who is familiar with statutes.
- RFP's expire after a fiscal year then they can be renewed.
- A letter was sent to the Auditor of Public Accounts, on December 9, requesting his assistance. The statutes say to retain his approval. He advised us to work with GOT.

Lucas motions for Administrator to get with Bob Langley to work on the draft. Horn seconds. Approval was unanimous.

- Change language of legislation to say a certain percent is audited and be careful not to repeat audits on certain PSAPs.

Regulations

A required public hearing was conducted based on notice of intent to create a regulation. The fact the emergency regulations are already in force has no bearing on the process for creation of ordinary regulations. We are now required to summarize comments from persons who attended that hearing (GTE and Louisville) and offer some response in what's called a Statement of Consideration, due on March 10. After the statement of consideration is actually filed, the regulations can be modified or file them as they currently are. Then it is required that we have public hearing on the regulations. All this needs to be done by March 15.

Patterson motions for the board to submit the Statement of Consideration as drafted to LRC and regulations as amended per LRC's request. Guittar seconds. Approval was unanimous.

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Mike Barnes:

Mike has submitted his resignation due to his job duties expanding. He feels his time is going to be very limited. Patterson suggests that Sprint recommend someone to keep the balance of the board.

Evaluation

Job description is divided into six main areas:

- Coordinators conduct – day to day operations
- PSAPs
- Wireless providers
- Public education
- Administrator's reports
- How Administrator represents Board in the community

Horn motions for the evaluation sheet to be used as a tool then move forward. Hardin seconds. Approval was unanimous.

Board ratifies 5% automatically awarded to Administrator and agrees to award a \$5000 bonus based on satisfactory performance. Personnel sub-committee will meet with Administrator and give review an annual review and instruct him to prevent automatic raises in the future.

Discussion on hiring a temporary person to help Administrator.

Horn motions that the Administrator seeks clerical help through a temporary service. Guittar seconds. Approval was unanimous

Patterson motions to pursue individual membership for the Board for NENA and a group membership to RCA, CITA, and PCIA. Horn seconds. Approval was unanimous

Conference in Salt Lake City, there is to be lots of information on wireless 911. Patterson recommends that board members try to attend the conference.

Guittar motions for the board to be authorized to attend trade show. Patterson seconds. Approval was unanimous

EFT - No real news. Contract has moved through state government and has been sent to Annexis. Once they sign it they will have their application in 30 days.

Line-Logg-r – continuing to push the product along

Database Development – call-counting information is going to be rolled into a master database along with carrier money and remittance money. GOT is working with Patterson on a master database. Anyone qualified that wants to know about CMRS will be able to manipulate what they need. May be put on our own server to insure more security.

XyPoint – plans to send PSAPs a complete implementation plan for deploying wireless 911 in Kentucky includes all the steps starting with selecting ESN's and M-sags, etc. Board wants to review what it is that they want to send out since not much is known.

Administrators Report

- Insurance – took effect on December 2, 1999.
- PSAP applications – have received two applications, no packets.

Legislation: Bill has been posted and is on the House floor.

Patterson recommends that the board become members of wireless trade associations and also 911 PSAP types of organizations. NENA, RCA, PCIA, CTIA, etc.

Comments and Discussions: No comments

Schmoltd motions to adjourn. Hardin seconds. Approval was unanimous.

GOVERNOR'S OFFICE for TECHNOLOGY

COMMERCIAL MOBILE RADIO SERVICE

EMERGENCY TELECOMMUNICATIONS BOARD

100 Fair Oaks Lane, Suite 102-A

Frankfort, Kentucky 40601

Phone (502) 564-2632 Fax (502) 564-3204

E-mail: CMRSBOARD@mail.state.ky.us

Web address: cmrsboard.state.ky.us

MINUTES

CMRS Board meeting 02/10/2000

Meeting called to order by Chairman David Lucas at 10:25 a.m.

Members present: John Patterson, Richard Guittar, Kenneth Hardin,
John Schmoldt, David Lucas, Mike Barnes

Members absent: Forest Skaggs, Shelby Horn

The minutes for the 01/27/2000 meeting were reviewed

- amendments were made:
 - clarifying that the \$500 per million per year referred to a \$500 charge per million dollars in our accounts for the management of those accounts
 - adding the word "wireless" to the statement made by Denisa Davidson that KENA's sponsorship of 911 workshops across the state
 - Patterson noted that he would strike the first person singular pronouns and substitute "Patterson"
 - Lucas noted that there was some text remaining from a cut an paste task during the assembly of the minutes
- Hardin motioned to approve the minutes, Lucas seconded, approval was unanimous

Administrator's Report

- Insurance coverage was reviewed. The premium was just under \$5000.00. the individual claim limit is \$1 million & aggregate coverage per year is \$3 million

- PSAP applications are going out to Mayors and Judge Executives with the exception of those in Louisville. Per the request of Dick Bartlett, those are being routed to his office. We used Denisa Davidson's database to mail applications to PSAPs. The first application has been received from Logan County. Denisa asked that KSP applications be routed to Capt. Hardin. Don Keily asked for a copy to make sure his customers all have one.
- Carrier Letters have been sent out asking for contacts for PSAPs to send their request letters to and other things. Several responses have been received but many more are expected.
- Revenue Breakdown - collections for FY 2000 are about \$2.7 million & FY 1999 were around \$4.9 million or about \$7.6 million total in the fund. The subscriber count remains in the 790,000 category. GOT has distributed budgetary information and the report is grossly wrong reporting that we have only spent \$21,000 so far when we know that it should be at least \$53,000
- Legislation - package is exactly what we asked for and the bill has been posted in committee.
 - Patterson asked if we want to petition to strike the statute's provision requiring PSAP's to provide the number of calls they have received in the previous year since it has caused confusion to LRC and others in the past. The Board declined to take any action.
 - Bonnie Cummings notes that the statute's listing of the terms for members is still wrong. The Board declined to take any action since it only relates to the first appointments and subsequently all terms will be for four years from the date of appointment.
 - Lucas asked if the old language on the Board's share of the revenue always said "not more than". Patterson responded affirmatively and noted that it is that language that allows us to adjust the amount of revenue meet our needs but not more
 - Lucas also asked about Capt. Hardin's point a couple of meetings back concerning the murky language concerning the distribution of the PSAP money. Patterson responded that Rep Barrows office agreed that while it was potentially confusing there would be not advantage to anyone to force a challenge on this point, since the only alternative would be the 50% of PSAP money would be left in a pool unavailable to anyone. Barrows does not want to open this part of the bill for fear that it will cause the whole formula of distribution to be opened to change.
 - Patterson noted that through the use of a software package to review legislation, he is being asked to review other packages other than our own
 - Capt. Hardin reviewed the KSP bill authorizing KSP to create PSAPs at each post. Currently KSP is not authorized to create a 911 center unless they are contracted with a local government. Denisa Davidson reviewed why this is necessary in order for KSP to create a safety net where there is currently no 911 service available. If this is not done a lot of KY citizens will pay for wireless 911 service and not have it available to them.
 - The question was asked what would happen if a center was started by a local government and wanted their calls. Hardin noted that the statute would not require KSP to give them up, but political realities would force KSP to work with the local entity to resolve the problem. Don Keily feels that it is very important that provision be made in the statute to require KSP to relinquish the calls when asked by a local PSAP. Lucas points out that when a question arises the carriers are directed to send them to the incumbent. Patterson notes the original problem is that a significant portion of KY will not be served by wireless 911.
 - Davidson notes that at some point with or without this bill is that jurisdictional disputes on who is to receive calls will inevitably arise until Phase II is implemented given the prevalence of omnidirectional antennas in rural KY.
 - Lucas suggests that KSP go back to their legal staff to put in language that will require KSP to relinquish the calls when asked by a local entity.
 - Guittar wonders why all of this concerns the CMRS Board. Patterson notes that KSP will need to have the CMRS statute modified to allow them to receive CMRS funds.
 - Bonnie Cummings points out that the KSP legislation also allows permits KSP to develop wireline PSAPs.
 - Schmoldt feels that the Board will give direction for any problems that might arise from this

legislation until it becomes a legal issue. Barnes agrees.

- Guittar feels a closely related question is who will arbitrate as to which calls go where. Schmoldt feels that carriers will make those decisions. The FCC directs that in a dispute the incumbent will continue to receive the calls. Cummings notes that where KSP is the incumbent in many locations they are not a viable 911 PSAP in some of those locations.
- Patterson motions that the CMRS Board embrace the KSP legislation SB 201 where it amends 65.7631 allowing KSP to receive CMRS Funds; Schmoldt seconds; approval was unanimous
- The Board deferred to take a stand on whether to support KSP on the first portion of SB201 amending 65.760 to allow KSP to create PSAPs at their posts
- The Board next discusses the creation of 911 Coordinator office in GOT Patterson notes that this position is being created as a result of the DPTS task force.
 - Bonnie Cummings notes that CMRS Board exists to disperse funds. The board can control what a PSAP can do if they want CMRS funds. The coordinator should deal with the comprehensive slate of 911 issues.
 - Patterson suggests that the CMRS Board evolve into a comprehensive 911 board by incorporating additional members like many other states
 - Davidson notes that that would require a total rewrite of the CMRS legislation. Representatives from carriers, firefighters, police, ems, mayors, DOCJT, etc. One cannot simply go through the CMRS statute to eliminate the word "wireless".
 - Patterson asks that we endorse that the 911 coordinator's office be coupled with the CMRS Board either under or over it to ensure that one message concerning 911 be sent.
 - Guittar asks what will the person do. Don Keily responded that future technology issues, growth issues throughout the state, cost of running PSAPs will force consolidation, work with wireless and wireline companies, make sure carriers are ready for longitude and latitude
 - Cummings notes that enhanced 911 is regulated by PSC in Ky not the FCC. the coordinator will ultimately therefore have to comply with regulations promulgated by those bodies

(tape ends here and picks up during the Line Logg-r discussion - the following reconstructed from Administrator's notes)

- Lucas motioned that the Board recommend supporting the concept of a 911 coordinator and they work with the CMRS Board to configure the best model for 911 throughout the state recognizing that you can't separate wireline and wireless in the public's mind.; Patterson seconds
 - Davidson proposes two boards with the CMRS Administrator serving as a member of the 911 Board and the 911 Coordinator serving as a member of the CMRS Board.
 - Lucas withdraws his motion
- Guittar moves that the CMRS Board recommend the creation of a wireline 911 Board and the administrators of each board sit on the other and provide cross representation and establish proper coordination of wireless and wireline 911 in KY and that they be housed under one cabinet. ; Hardin seconds; approval by a vote of 5 to 1 (Patterson opposes)
- Line Logg-r report (first part of this discussion not on tape & no notes were taken) Details of a phone conversation between Patterson and Jack Richley of RAN Technology, INC. occurred to discuss what the next steps are in moving the call counting project forward.
 - He suggests that they will pull some of the system's elements from other projects
 - That a lot of redundancy will be built into the system
 - Richley suggests we poll each PSAP every night to collect data to ensure that no data is lost through faulty hardware that is not corrected quickly
 - Patterson informed RAN that GOT suggests we procure the host hardware through normal methods since they are basically PCs. Richley said that is OK if they are shipped to RAN for configuration, if we cannot buy them through them which they would prefer.
 - The database will be in something like FOXPRO or some database software, but it will be easily moved

into a larger database for reporting and permanent storage.

- Cummings notes that we should consider collecting data less frequently than every night to reduce long distance charges.
- Prepaid - There is not much to report. Prepaid cards are now available at the local Dairy Mart in Versailles for 40 cents per minute which is very competitive with monthly billing rates
 - Rural Cellular Association members are now eligible for major discounts from Boston Communications Group which is one of the largest players in the billing of wireless calls. This will allow rural carriers to be more competitive in selling prepaid services
 - Guittar said that the industry report on prepaid would not be available until March.
- The Board will be able to participate in KACO and KTA meetings coming up this year.
- The Board needs to consider hiring an employee. The work is beginning to back up
- Board members were given copies of the sample non-disclosure agreement distributed to PSAPs as a beginning point to develop one for Board activities per the confidentiality reg. One does not currently exist and it will be needed shortly with cost recovery plans and PSAP applications due to arrive shortly.
 - Lucas says that his legal people say that he can sign the one sent to PSAPs
- Patterson asks if the Board wants to continue to maintain the Blue Books. Lucas and Guittar said they haven't been particularly useful. Copies of By-laws, the statute, regulations among other things should be available at every meeting.
- Lucas asked if Patterson was maintaining the web site personally. Patterson answered affirmatively because of the delay in getting it done by others.

Lucas recommends that we review the reg changes on our own and come back ready to discuss at the next meeting. Patterson notes that although we have changes for only three regs, but if there is likely changes to the others that we haven't received.

Lunch

Lucas motions that the Board send Patterson to the NENA Technical Conference in Orlando, Schmoldt seconds; approval was unanimous

Angela Robinson said that the hard part of writing the regulations is over. Patterson asked Robinson if the comments from LRC are common or are our regs poorly written. She answered that with new regs this level of comments is common.

- Schmoldt asked Guittar if he felt if a Board member should be part of the cost recovery committee. Guittar feels that we need the expertise on the committee. He does not feel that it will create a competitive advantage. The marketing information he would gather is generally available elsewhere and what he does gather, others have to trust him to use the information for the purpose for which it was tendered.
- Patterson asked Guittar if he thought that hiring a couple of engineers to tutor us on what to look for in cost recovery plans. Barnes feels that with Guittar on the Board, we have one of the best engineers available, but we should keep him shielded from information not needed. Schmoldt agrees.
- Guittar asked if we could acquire cost recovery plans approved by other states. Patterson felt he could ask and see if they will release them
- Guittar felt that the analysis of common parts of plans be approved in the same way for all carriers
- Patterson asked Robinson to what extent to we have to adhere to comments from LRC. Robinson said we do not have to comply if we can justify not changing our reg

Performance Evaluation

- Patterson gave the Board some materials (state handbook for evaluations, the Administrator's job description, and list of evaluation criteria for this job written done by Jeff Mitchell, a supervisor of Telecom Techs, and Patterson's outline for how the process should proceed) from which they can begin to construct the process
 - Barnes asked if Patterson had a set of objectives to achieve other than the job description. Patterson said there was nothing provided other than the job description the only direction comes through the meetings
 - Lucas pointed out that the Board has full control over where to set compensation. Hardin noted that merit raises are about to be abolished if the Governor's new pay package is passed and future raises will be based on cost of living and longevity. Guittar wondered what the incentive was to do a good job.
 - Patterson emphasized that the real need is to get feedback and ensure that the objectives of the Board are being met
 - Guittar feels it would be good to know how the existing pay plan will affect future raises in terms of whether the Board should grant monetary incentives.
 - Barnes notes that evaluations should never be a surprise to the employees or Board members. He also sees that a method to improve performance is not part of the submitted package and that should always be part of any evaluation
 - Barnes feels that the evaluation should be done by a subcommittee composed of the three longest serving board members.
 - Schmoltdt motions that the Board create a subcommittee.
 - Guittar feels that the employee should develop a list of what he feels are his accomplishments and what he feels were the expectations and then submit that to the subcommittee as part of the process. He also feels that there needs to be an objective portion where one assesses if criteria were met and then a more subjective portion where one assesses how efficiently the criteria were met.
 - Lucas asks if the review will be conducted with the administrator or how exactly the process will work. Barnes feels that the subcommittee will determine the form and submit it to the Board for ratification. Then the actual review with the administrator will be conducted and that submitted to the Board for ratification and the setting of any monetary changes.
 - Hardin asks if the development process and setting of future expectations will be part of the process. Barnes replied that it should be and that the evaluation form should be given to the administrator prior to the actual review so that his perspective can be available to the subcommittee.
 - Schmoltdt withdrew his motion and deferred to Barnes to draw a motion.
 - Barnes motioned that we create a subcommittee made up of the most tenured three Board members to A. create the form by which the administrator will be evaluated; B. will bring that form before the Board for approval; C. assuming said approval is received will issue the form to the administrator prior to the evaluation; will collect back the form in a reasonable amount of time; review it; and then actually meet with the administrator to conduct the evaluation; upon completion of all of the above; the subcommittee will bring the completed evaluation and development plan back to the Board for approval and any compensatory action as appropriate;
 - Guittar asks if after doing the evaluation, should the subcommittee then send it back to the Board for approval before giving the rating to the administrator. Lucas notes that with this process, the administrator's comments will be part of the evaluation sent to the Board for ratification
 - Hardin seconded the motion; approval was unanimous
 - Hardin noted that expectations for veteran employees are and should be different from new employees. Expectations for veteran employees tend to be less specific. New employees are evaluated often and veterans only once a year. Both Barnes and Guittar noted that they do it more often in their companies
 - Patterson noted that the expectations are what have been missing in this relationship. Guittar agreed.

NENA Conference

- Lucas noted that conference will begin on June 11th in Salt Lake City
- Patterson noted that the seminars on Sunday will generally not be useful to the Board

Barnes asked what the necessity of the liability insurance. Guittar answered that individual board members could be sued. The Board can not be sued, but individuals can be. Patterson noted that he has been told that the likelihood of a successful suit is extremely remote. Barnes asked why we drew the line at a million dollars. Lucas answered that was what we could get done quickly. Guittar says that BellSouth has indicated that he is serving at his own risk. Hardin notes that if sued, a board member would have to hire an attorney.

Barnes motioned to adjourn; Hardin seconded

GOVERNOR'S OFFICE for TECHNOLOGY

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MINUTES

CMRS Board meeting 01/27/2000

Meeting called to order by Vice-Chair Shelby Horn at 10:10 a.m.

Members present: John Patterson, Shelby Horn, Richard Guittar,
Kenneth Hardin, John Schmoldt, David Lucas, Forest Skaggs

Members absent: Mike Barnes

The minutes for the 12/16/1999 meeting were reviewed

- amendments were made:
 - striking the word "tax" from a motion made by Lucas to send all carriers a letter informing them that no cmrs connection in KY is exempt.
 - asking that the opinion given by Angela Robinson be clarified in the minutes where it is reported that the Board can not give disburse "pro rata" and "volume" funds to one group of PSAPs and only "pro rata" funds to another. It is Robinson's opinion that the statute directs the Board to disburse both "pro rata" and "volume" funds to every PSAP that qualifies per the formulas in the statute
 - instructing that Capt. Hardin be listed as the dissenting vote on deploying Line Logg-Rs as the call counting solution endorsed by the Board
 - correcting two typographical errors
- Guittar motioned to approve the minutes as amended; Lucas seconded; approval was

Call Counting Discussion

- Members were reminded that Cincinnati Bell's PSAPs will have to count calls differently than other sites because their PSAPs are using ISDN trunks
- Patterson showed the Board copies of a letter sent to Bell South asking that they install Line Logg-Rs at all of their PSAPs - Guittar stated that we have to assume CMRS will be paying for all Line Logg-Rs and the use of any sites that are installed by Bell South for their own internal purposes will be graciously accepted by the Board
- Bonnie Cummings noted that about 20 PSAPs are not either Bell South or Cincinnati Bell. All of these use CAMA trunks and Line Logg-R will work with them.
- Denisa Davidson asked if a PSAP will ever be required to pay for a Line Logg-R installation? - There was no consensus on the Board in regard to this question. It was clear that the Board did not intend that PSAPs pay this cost if there was any other possible means.
- Guittar moves that the Board select Line Logg-R as the method and vehicle for call count data collection excluding non CAMA areas. Line Logg-R will be provided from the Carrier's pool of funds; Patterson seconds; 5 were in favor, Lucas opposed
- Lucas only opposes the Board going on record as to funding from Carrier pool of funds

Mike Barnes sent the Board a letter apologizing for his absence and pledging his continuing interest. Part of Barnes's problem is the lack of a long term meeting schedule. Everyone agreed that we need to schedule meetings well into the future.

Election of Chair & Vice-Chair

- Horn nominates Lucas for Chairman; Guittar seconds; approval was unanimous
- Patterson nominates Hardin as Vice-Chair; there were no seconds

Skaggs arrives

- Skaggs nominates Guittar as Vice-Chair
- Hardin withdraws his name because of the possibility of transfers within KSP
- Hardin seconds Guittar's nomination; approval was unanimous

Lucas takes over as Chair of the meeting

Financial Report

- Mike Presson gives report showing the actual account numbers and the money is now posted to them
 - \$164,356.38 is in Admin account
 - \$3.2 million each for carriers and PSAPs
 - \$6.5 million currently posted in the individual accounts & another \$826,597 to be moved into the sub accounts
 - Expenses so far are \$53,107.19 with some additional to be posted
 - Office space will be paid at \$8.80 per sq. ft. including utilities (not including telephone)
 - Various Board members sought clarification on several expenses
 - Members asked that descriptions of expenses be stated more explicitly
 - Skaggs wanted to know if there were other office expenses - Patterson responded that there are also \$24 per month for each line, cell phone & pager costs and that was about it.
- Dwight Price reported on how our interest is calculated
 - our funds are kept in an intermediate risk pool of state funds

- originally our funds were not being awarded interest, because the right people in Finance were not told the funds should be earning interest - the money was earning interest, but it wasn't being posted to CMRS - that has been corrected and the back interest has been posted
- CMRS Funds are earning about 5%
- interest will be posted by 10th of each month
- Yields have not been what the state would like, but CMRS Funds have not suffered more than any other pool of funds.
- Lucas questioned if all the interest was being put into the main CMRS account - Price responded that it was
- Finance charges CMRS \$500.00 per million dollars per year for the management of our accounts
- Patterson asked Mike Presson if the money can be moved from the master CMRS account to the sub accounts by the 15th of each month - he agreed
- Revenue breakdown
 - September subscribers were 769,000
 - October subscribers jumped to 795,000 and November seems likely to be nearly the same - year 2000 will likely see 800,000 + subscribers as the base level
 - actually in the fund right now is \$7.3 million

Electronic Funds Transfer

- Tommy Case -GOT, Debbie Wilson - GOT Web design team, Stewart Weatherford (Controller's Office), and others gave a presentation on KYDirect plan to implement a web-based EFT. The project is a new element in a mature program . CMRS will be the pilot for the web-based EFT.
- KYDirect has teamed with Anexsys which used to be First Chicago - they are a big player and will be able to scale up or down to our needs
- CMRS will pay a portion of the development costs because this is being developed as a statewide endeavor and we will only pay what would be our portion even though CMRS will be the pilot project.
- the fee per transaction will be 15 cents as compared to GPS (system used by Revenue) the fee there is over 50 cents per transaction
- data screens will have to be developed
- security will have to be developed and will be a critical element in the design - some level of signature or authorizing id will be required
- Steve Skinner noted that carriers will resist being told to use a credit system - they will agree to a system where the money is pushed to us, but not one we pull (i.e.get into their bank account and draw the money)

LUNCH Guittar leaves

Carrier Letter Reviewed

- carriers have been notified that the Board will be moving to EFT as the remittance method used by the Board
- carriers have asked if this required and have been told that it will be
- letter also reviewed the fact that no subscriber is exempt from the CMRS surcharge
- It also asked carriers to provide a contact name & address for PSAPs to address their service requests to & identify the counties in which they are operating

Confidentiality Regulation

- Chris Jones (GTE) voiced strong concern that a carrier rep who is board member might serve on the Cost Recovery committee. He suggests we talk with Jim Ryan in S. Carolina, Ken Lowden in Indiana and folks in Alabama & N.Carolina as to how we can do this without a carrier rep being on the committee.
- GTE has no problem with a competitor reviewing how service is deployed but they do not see why such a member would need to see customer counts and total costs which will permit derivation of customer counts.
- Horn asked how other states do it. -- Jones said that the subcommittee reviews the data and passes it on aggregate information to the board
- Mark Freeman noted that PSC has moved to protect customer counts and the gross operating costs
- Steve Skinner stated Guittar's opinion (in his absence) Guittar will vote to reject a cost recovery plan if he feels that insufficient information is included or masked over as confidential
- Skinner says that the Administrator could remove some of the data & make it work; also the administrator could review cost recovery payments and attest that the amount of the payment does not exceed the 125% of the amount remitted by the carrier
- Skinner also says that Guittar feels that non-disclosure statements that he signs will keep him from using the data he gathers here to help his marketing dept.
- Skinner says that BellSouth Mobility corporate does not feel that most of what is being called confidential will be a problem. Many things that were considered confidential a short time ago no longer are. they feel that what KY is doing is probably sufficient
- Patterson noted that carriers are asked to mark as confidential anything information they are concerned about - so the board staff will know in advance what to try and protect during committee meetings
- Skinner notes that Payouts to carriers could be structured like the remittance reports that are submitted now.
- Lucas noted that we still have time to modify regs if we want to.
- GTE main point is not that a carrier rep should not sit on a cost recovery subcommittee, but that the board shield the confidential data from that member, and that the board should be sensitive to GTE's concern
- Horn suggests that we pay an engineer to help us to review the first couple of cost recovery plans
- others suggested maybe carriers could contribute some engineering expertise to give a subcommittee some training
- it was generally agreed that after looking a few plans, most of the plans will be similar
- No one wants to cut all of the technical expertise from reviewing cost recovery plans, if we can review the customer counts and plan costs with carrier reps out of the room
- Schmoldt notes that small carriers will have to upgrade portions of their networks and only part will apply directly to 911. somehow we will have to separate those costs
- Skaggs notes that we will more opportunity to alter the confidentiality reg per these concerns

Hearings

- Not much in the way of comments
- GTE sent Russ Cave that read a statement for GTE regarding confidentiality Chris Jones has basically presented that view. He did not give me a copy
- Dick Bartlett sent Beth Bishop to read a statement addressing PSAP certification and confidentiality. His position is that the Board can not restrict subpoenas on wireless data; the Board is setting general standards for PSAPs that do not relate specifically to wireless; The Board does not have the authority to regulate training of telecommunicators; and that there is insufficient reason to delay release of pro rata funds until July
- Angela Robinson has addressed these concerns for the most part; the board is not requiring any training for telecommunicators that is not required in the statute
- It is up to the states according to FCC to determine what PSAPs are capable of in handling the data from wireless 911 calls
- July 31 was picked as the cutoff to allow PSAPs to make sure they had money to get the necessary changes to be able to certify
- Lucas asked if we need to put together a subcommittee to rework regs based on hearings and input from LRC

- Patterson reviewed briefly the LRC comments on our regs.
- Patterson volunteered to try to respond to those concerns and get back to the board

Administrator's Report

- Insurance will be purchased shortly - does not have to be bid. we are waiting for an invoice
- PSAP applications have gone out electronically
 - Many are not able to open the attachments
 - Board directs that we mail copies
 - Patterson will also send them to Mayors and Judge Executives
- Legislation
 - our bill has not been introduced yet & will follow our requests faithfully - Barrow's will be sponsor
 - Patterson will be asked to testify on this and other things (KSP & 911 coordinator)
 - KSP will introduce a bill authorizing it to create PSAPs where they are not contracting with local governments
 - Lucas asked that the Board be notified when Patterson is asked to testify at the Legislature
- Carrier Implementation
 - GTE Wireless wants to get rolling and feels they have a solution that will be approved. Patterson told them to go ahead with the understanding that we would not guarantee approval

Lucas asked that the performance evaluation agenda item get a higher priority at the next meeting.

March 16th & 30th , April 20th, May 4th & 25th, and June 22nd are established as future meeting dates

Lucas motioned that Patterson should be authorized to attend the NENA technical conference in Orlando in March

Denisa Davidson noted that KENA will be sponsoring workshops on wireless 911 across the state. they have asked that Patterson make a presentation at those meetings

Skaggs motioned to honor Shelby Horn for her faithful service as Vice-Chair through the next year. Lucas seconded, approval was unanimous

Horn motioned to adjourn, Schmodlt seconded

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MINUTES

CMRS Board meeting 12/16/99

(minutes were approved as amended-deleted language is struck through; replacement or new language is underlined)

Meeting called to order by Vice-Chair Shelby Horn at 10:15 a.m.

Members present: John Patterson, Shelby Horn, Richard Guittar,
Kenneth Hardin, John Schmoldt, David Lucas

Members absent: Forest Skaggs, Mike Barnes

The minutes for the 11/18/1999 & the 12/02/1999 meetings were reviewed

- Guittar motioned to approve the 11/18/1999 minutes as amended; Schmoldt seconded; approval was unanimous
- Lucas motioned to approve the 12/02/1999 minutes as amended; Hardin seconded; approval was unanimous

Financial Report

- Revenues have been reconciled of Wednesday, 11/24/1999
 - Current balance in the accounts is \$6,543,567.50
 - Expenditures should be reconciled shortly
 - Expenditures to date are expected to be \$50,000 +
- All of the interest due has not been posted
 - Deputy CIO Steve Dooley suggested that we should ask Aldona Valicenti to send a letter to Secretary McCarty requesting that the priority be increased on finalizing the interest for CMRS accounts
- August & July 1999 revenue is complete for all carriers
 - All carriers are current in their reporting

- No resellers are remitting money at this time
 - Lucas asked if revenue from resellers would be greater than prepaid - Guittar said "No".
 - Patterson reported that he plans to begin pursuing resellers in the coming months

Horn asked if ~~of~~ the liability insurance had been purchased

- Patterson responded that it had not. At the direction of the Board other companies were surveyed about prices and several wanted applications completed including significant personal data on Board members. The purchase had gotten delayed there and then fell through the cracks.
- Guittar motioned that we purchase one year's insurance from E.M. Ford and continue to investigate rates with other companies; Schmoldt seconded; approval was unanimous

Lucas motioned that we draft a letter to all carriers restating that no wireless connection is ~~tax~~-exempt; Horn seconded; approval was unanimous.

Electronic Funds Transfer Discussion

- Mike Russell (Revenue Cabinet) reported on their use of EFT
 - They use a private company (Global Payment Systems) and collect as much as \$3 billion annually
 - Checks are never misplaced
 - Can use a debit method where a payer authorizes you to take money from their account; or
 - A credit method where payer electronically sends a draft
 - Debit method sometimes results in insufficient funds in an account when bank tries to draw the money
 - Revenue currently downloads their information from the bank via diskettes, but will shortly begin using a modem
- Patterson reported that CMRS's costs from GPS would amount to \$360 per month
 - Lock Boxes are not an option in Frankfort - no bank locally provides the service
 - Guittar noted that we could use a lock box service in another city
- Deputy CIO Steve Dooley suggested that we meet with Doug Robinson concerning e-commerce solutions
 - Tommy Case (KY Direct) is working on similar projects (internet based) with other agencies

12/16/1999 minutes continued page 2 of 3

- Dooley suggested working with Tommy Case, Eugene Harold (Treasury), and Ed Ross (Controller) to use systems being put in place by the State
- Schmoldt motioned that we proceed with establishing EFT as our method of collecting remittances and authorized the Administrator to determine the best method; Guittar seconded; approval was unanimous

Requested Legal Opinions

- Can information given to a PSAP during a call be subpoenaed? Angela Robinson, after reviewing the statute, said that it clearly prohibits PSAPs from complying with a subpoena. She said, however, that a court order could require that data be forwarded. She noted that a court order is different than a subpoena. Any lawyer could get a subpoena.
- Can we define what PSAPs are to be certified? Angela Robinson said that the Board could define PSAPs as eligible for certification based on whatever criteria we consider reasonable. The statute does not make a distinction. The statute does make clear, however, that whatever is certified as a PSAP is entitled to receive both

pro rata and volume distributions. The Board can not separately certify a group of PSAPs for pro rata and volume money and a separate group for pro rata money only. send pro rata & volume money to one group of PSAPs and only pro rata money to another.

- Angela Robinson said that we could ask the legislature to further clarify these issues, but the Board should be very clear in its message of what we want and be prepared to get back something we might not want.

Certifying Primary & Secondary PSAP Discussion

- Several people pointed out differing configurations around the state that could be PSAPs at some level.
 - Bonnie Cummings (BellSouth) notes that Madison County has two PSAPs and two remotes (each of which will default to a full functioning PSAP)
 - Louisville has two PSAPs that assigned to initially answer all calls, but has 7 other fully equipped PSAPs that can easily take calls if assigned.
 - Lexington has 1 PSAP assigned to initially answer all calls, but also has another center fully-equipped to take calls if assigned.
- Guittar feels that if a center is able to receive call, it might be possible to certify it.
- Horn notes that big centers have real costs and need to equip and staff for the number of calls they receive
- Mary Vaughn (KY wireless coordinator) feels the intent of the FCC is undermined if we certify all the secondary PSAPs - Small PSAPs in Ky will not be adequately funded
- Horn motions that a certifiable PSAP is one, which is initially assigned to receive a 911, call - then withdraws it.
- Schmoldt motions that we not certify secondary PSAPs; Patterson seconds; approval is unanimous.

LUNCH

Horn left

Revenue Breakdown Presentation

- Patterson gave a brief PowerPoint presentation on how the current revenue stream breaks down (using August, 1999 data).
 - Carriers will share \$3, 012.128
 - PSAPs will share \$1,506,064 (pro rata) & \$1,506,064 (volume)
 - CMRS Board budget will be \$154, 468 (at 2.5% of revenue)

Call Counting Discussion

- Patterson reports that John Bridwell (GOT purchasing) says that if the Board buys the units that go into the PSAPs, then we may have to bid the whole project. If the standard is set because someone else (e.g. BellSouth) buys the units and thereby sets the standard, then the software and other central sit equipment is sole source and will not have to be bid. Hardware at the host site that is fairly standard (PCs) should probably be purchased via normal procurement.
- *INFORMER* is the only real competing product to *LINE LOGG-R*.
 - *LINE LOGG-R* sits in parallel on the 911 trunks. Its failure would not affect the trunk status.
 - *INFORMER* sits in series on the 911 trunks. Its failure could also cause the trunks to fail.
 - *GTE* has approved the use of *LINE LOGG-R* in its 911 centers.

- Both products would provide a count of incoming calls, would require a software report to be developed to distinguish between wireless & wireline calls, and could determine calls that are transferred as well as count incoming transferred calls at the second site

12/16/1999 minutes continued page 3 of 3

- Bonnie Cummings (BellSouth) reported on the tests of *LINE LOGG-R* that she, John Patterson, and Terry McLarty (BellSouth) conducted at the Richmond, Madison Co. & Estill County PSAPs.
 - We did not have time to take the unit to Estill Co., but did place a caller id unit (with GTE's help) at that site.
 - Estill Co. showed that the ANI info remained with the call after it was transferred. The PANI was stripped. This appears to be a problem with inter tandem transfers between differing TELCOs
 - Intra tandem transfers do not strip any information as demonstrated with Madison & Richmond PSAPs.
 - Inter tandem transfers are problems for more than call counting - calls transferred between TELCOs will not have any of the data and will generally have to be sent to a 7 digit number in these cases.
 - The units will count both wireless and wireline calls
- Lucas thinks it would be valuable to have a count of wireline and wireless calls so that we can know the current ratio and monitor it for change and what that means to the future of CMRS in KY.
- Guittar thinks we should be careful to not count calls twice (once as they leave a center and again when they arrive at their destination)
- Guittar thinks that an individual carrier should not have to bear the brunt of paying for a unit to be installed at a PSAP. The cost should be made part of cost recovery for all carriers serving that PSAP
- Bartlett thinks that PSAPs should bear the costs of installing boxes.
- Considerable discussion was held on the merits of letting the carriers provide the counts or letting the PSAPs provide them
- Hardin thinks that PSAPs could provide the counts
- Guittar motioned we go forward with RAN and the *LINE LOGG-R* as the way we will count calls; Schmoldt seconded; approval was 4 in favor, Hardin ~~one~~ opposed.

Lucas motioned to accept the PSAP certification packet as amended in the last meeting and send them out; Guittar seconded; Approval was unanimous.

Prepaid Report

- At the last conference call, Guittar and Patterson gave the other carriers the Board's position that we will continue to monitor the situation
 - Guittar reported that the an industry report on how to collect surcharges on prepaid calls is due out in January
 - Patterson reports that Suncom will be collecting surcharges on any prepaid connection that has a balance in their account at the end of the billing period.

Hardin notes a potential problem in the current statute at 65.7631 (2) (a) & (b) - the statute appears to allow only 50 % of the money allocated to PSAPs to be disbursed and leave the remainder in limbo.

- Lucas & Patterson agree that the language could be clearer

- Dick Bartlett (Louisville / Jeff. Co.) says that we could ask the Governor to issue an executive order clarifying the issue.
- Patterson offers to review it with Rep. Barrows' office

Patterson is directed to ask TELCOs for some estimates of PSAP costs to implement wireless e-911

January 27, 2000 is set as the next meeting. Meetings will also be held on February 10, 2000 & February 24, 2000

Lucas motioned to adjourn; Hardin seconded.

MINUTES

(minutes were approved as amended-deleted language is struck through; replacement or new language is underlined)

CMRS Board meeting 12/02/99

Meeting called to order by Vice-Chair Shelby Horn at 10:15 a.m.

Members present: John Patterson, Shelby Horn, Forest Skaggs, Richard Guittar, Kenneth Hardin, Mike Barnes, John Schmoldt

Members absent: David Lucas

The minutes were reviewed

- Patterson pointed out that these were the raw notes from the previous meeting and that he only received them the previous evening at 10:00 p.m.
- Several problems were noted with the content and that they were very skimpy on detail
- Some changes were suggested to the raw notes re: the black box discussion.
- Horn asked if we were going to begin taping the meetings as requested. The answer was yes, but until there was someone able to manage the tape during meetings, review it afterwards there seemed little point. She asked that meetings be taped in the future and retained as a record even if no one is available to review the tape during the transcription process
- The board directed that the minutes be transcribed for the next meeting.
- Skaggs moved to deferred approving the minutes until a transcribed copy is available; seconded by Guittar - approval unanimous

David Lucas arrived

Adminstrator's Report

- Board contact information has been updated with requested changes
 - Additional changes were requested
 - The revised copy will be sent via e-mail to board members
 - Barnes asked if this information would be available via the web site.
 - Board members were assured that copies of the contact information were for their use and that persons wanting to contact a board member could do so through their individual business office or contact the board offices and the request would be forwarded to the board member, if appropriate.
- Finance
 - Account status
 - Revenues and expenditures still had not be reconciled, but that is expected to be complete by the next meeting
 - All of the required accounts have been established in MARS (state's accounting system), and the money, per the formulas established in the statute, will be moved into them after the reconciliation of the revenues is satisfactorily completed (hopefully by next meeting)

- Some interest has been posted to the master account
 - The interest is only for the most recent months
 - The aggregate amount seems lower than one would expect
 - The interest rate used still has not been established
- The board directed that using a lock box be investigated
 - Lucas pointed out that electronic remittance was to be employed at some point in the future and that should also be investigated
 - Patterson noted that Mike Presson had suggested that lock boxes might be expensive
 - Barnes noted that he had used them in his business and found the benefits outweighed the costs
 - Utilizing a lock box would tighten security and confidentiality and speed the deposit of the remittance into CMRS accounts
- The revised remittance form was reviewed
 - Board members approved of the new form without further changes
 - They directed we delay sending it to carriers until the lock box / electronic remittance issue is resolved
- All of the regulations have been enacted on an emergency basis.
 - They were posted on 11/23/1999 @ 4:00 p.m.
 - Public Hearings will be held throughout the day on January 26, 2000 regarding each of the regulations

Black box (Line Logg-r™) Report

- 3 methods of counting calls have been considered by the board
 - Carriers could provide the counts
 - They are required to provide a quarterly count of calls sent to a PSAP
 - The methodology used is up to them. Consistency would not be guaranteed
 - Counting transfers is not possible.
 - Development costs of \$60,000 per carrier were some of the early estimates. Combined with monthly recurring costs creates a potential impediment.
 - PSAPs could keep a count and send it to the board
 - They are required, as part of their applications, to provide a count of the calls they have received during the previous calendar year.
 - The only count they are required to provide is the one with their application.
 - Trusting PSAPs to count their own calls raises questions of integrity
 - Counting methodology would be very inconsistent and would range from hand tallies to various electronic means; transfers would be subject to the same variety of counting methods.
 - Some but not all PSAP CPEs are capable of providing the information
 - "Black boxes" (Line Logg-r™) were suggested because they seemed to meet many of our requirements.
 - would be operated by the Board
 - would have a high degree of integrity
 - provide consistency in the counting methodology
 - are the only method we examined that is capable of counting transfers
 - They were not mentioned in the legislation.
 - Are a product made by Ran Technologies
- Bonnie Cummings (Bell South) gave a report
 - There are many complications in counting wireless calls
 - Not all TELCOs in KY employ a selective router, some use direct trunking from a CO
 - Some PSAPs buy data base services from their Telco and others maintain a data base on site
 - The data streams coming in to all PSAPs do not necessarily look the same
 - How a PSAP's CPE and the Telco's network manages a transfer of a call will determine what the

- outbound call's data stream looks like as it goes to the router or back to a CO
 - It is essential to have a call back number and PANI as part of the data stream to meet Phase I requirements
 - If some of this data stream is not present or altered in the initial delivery or transfer of a call, it may be impossible to count a call as a wireless call
- Based on conversations with John Patterson, Tom Sturtevant (GTE), Don Keily (Cincinnati Bell), Ran Technologies personnel and internal (BellSouth) personnel
 - GTE feels that there is no technical impediment to using Line Logg-r™ in PSAPs they serve
 - Cincinnati Bell uses ISDN technology
 - could not use a Line Logg-r™
 - could provide the required data via a LUCENT product
 - BellSouth has a fair amount of experience with Line Logg-r™
 - Although a number of other states have them deployed statewide, very few are installed in Kentucky
 - BellSouth uses them for their own internal maintenance management needs
 - May consider deploying them statewide for their own needs and potentially make them available to the CMRS Board to download call count data
 - Estimated costs for Line Logg-r™
 - Per PSAP - about \$5,000
 - Plus a secure modem and phone line at each PSAP
 - For a central collection site at board offices, both software and hardware will be needed
 - Ran will provide a turnkey solution for central collection of data on a daily basis
 - Software development , installation, training for about \$22,800
 - 4 PCs & a Host PC from Ran for about \$16,000
 - plus necessary phone lines and secure modem at the host site
 - plus travel costs for Ran personnel to install and train at the host site
 - Tests need to be conducted to evaluate potential problems before we begin
 - Transferred calls are of particular interest in any test of this technology
 - Madison County and Richmond are ideal since one of them already has a Line Logg-r™.
 - Horn volunteered Estill County as a GTE site
 - BellSouth can provide a couple of extra Line Logg-r™ for the tests
- Patterson asked the board to endorse the proposed tests
 - Skaggs felt that it was not necessary, but the board certainly should monitor any tests performed
- There was considerable discussion as to how this technology would be paid for -
 - would it have to be bid
 - is it under price contract
 - would the PSAPs have to buy it

Mike Barnes left

Recess for Lunch

Certification of "secondary" PSAPs

- Patterson noted that during the lunch recess, there was considerable discussion of whether secondary PSAPs would be certified by the Board
 - Considerable discussion followed
 - Dick Bartlett of Louisville felt that they should be certified since, at least in Jefferson County's case -
 - they are fully equipped 911 centers and technically meet all the requirements of the Board,

- answer 911 wireline and wireless calls,
- dispatch calls to agencies,
- secondary PSAPs have all of the same equipment costs of a primary PSAP,
- secondary PSAPs should be certified for only pro rata money
- Patterson felt they should not be certified since
 - Secondary PSAPs do not receive the initial call
 - Establishing a secondary PSAP is a local, political decision - not one an inherent requirement of 911
 - Would unfairly increase the volume count since every call would be transferred internally
 - Would reduce the pro rata share available to others
 - The law does allow the board to differentiate between a definition of a PSAP for pro rata money and another for volume money
 - This was not the intent of the statute
- Language of the law is not clear
 - Board requested a legal opinion from Angela Robinson

PSAP Certification Application

- Patterson presented a draft of an Application to be used by PSAPs - included were
 - An application form
 - Check off list
 - Sample non-disclosure statement for use by PSAP staff
 - Sample letter from telco to be used in lieu of documentation required by the regulation
- Several board members wanted to defer approval of the document to allow them time to review
 - Patterson noted that the regulation was now in affect and the board needed to move expeditiously to make the application available to PSAPs
 - Several changes were suggested to the application
 - Ken Schneider, a PSAP Director in northern KY, noted that the non-disclosure statement stated that information provided to PSAPs from carriers is not subject to subpoenas
 - Schneider said that no PSAP would refuse to honor a subpoena
 - Patterson pointed out that this merely referenced the statute and that the non disclosure statement was only a sample offered to PSAPs
 - Everyone agreed that the statute's language is unusual and possibly a problem
 - Horn requested a legal opinion from Angela Robinson
 - The board ~~declined to~~ deferred further review of the application until the next meeting

Election of New Chairman and Vice-Chair

- Horn proposed that the Article II of the by-laws be changed to require reelection of the Chairperson and Vice-Chair every year
 - She offered a draft of her proposed changes that had been drawn by Skaggs in July, 1999 (see attached)
 - That they be elected in December of each year which would allow new persons on the board to have some time to acclimate after their appointments
 - That no restriction be created to prevent someone from serving consecutive terms
 - That the board continue to have one position each from the carrier group and from the government group
- Changes were offered to the submitted draft
 - The administrator would preside over meetings in the absence of the Chairman or Vice-chairman instead of allowing the Vice-chairman to appoint someone.
 - A section 5 would be created to hold the election of Chairman and Vice-Chairman at the regular meeting

held in January of each year.

Forest Skaggs left

- It was suggested that Article IV, Section 1 also be amended to change the date of the regular meeting in September to be held in October instead which would allow one meeting in each quarter as originally intended.
- Guittar motioned to amend Articles II and IV of the CMRS Board's By-laws as follows:
 - Add a new sentence to the end of Article II, Section 2 reading: **"In the absence of both Chairman and Vice-Chairman, the Administrator shall preside over meetings."**
 - Add to Article II a section titled Section 4 reading: **"The Chairman and Vice-Chairman shall serve terms of one (1) year from date of election and may be re-elected. Any Chairman or Vice-Chairman elected to replace a vacated position shall serve only until the end of the original term of office."**
 - Add to Article II a section titled Section 5 reading: **"Elections for the positions of Chairman and Vice-Chairman will be held at the regular meeting in January of each year."**
 - Amend Article IV, Section 1 **changing the regular meeting in September to be held in October instead.**
 - Lucas seconded the motion - approval was unanimous

Guittar motioned that all references in the CMRS Board's By-laws to the **"Cabinet for Finance"** be changed to **"Governor's Office for Technology"**. Schmodlt seconded - approval was unanimous

Guittar moved to adjourn, Horn seconded.

The meeting was adjourned at approximately 3:00 p.m.

Changes proposed to Article II by Vice-Chair Horn

ARTICLE II

Officers of the Board of Directors

Section 1. Chairman. The Board shall elect from its membership a chairman. The chairman shall preside at meetings and shall be responsible for assuring that all acts of the Board are in compliance with governing statutory authority, these bylaws, and generally accepted parliamentary procedure.

Section 2. Vice-Chairman. The Board shall elect from its membership a vice-chairman who shall be authorized to preside over meetings of the CMRS Board in the absence of the chairman. The vice-chairman may appoint another board member to preside over a meeting if necessary.

Section 3. Compensation. The Board members, except for the Administrator, shall serve without compensation. The members of the Board of Directors shall be reimbursed for necessary travel and lodging expenses in accordance with administrative regulations promulgated by the Cabinet for Finance and

Administration for state employees.

Section 4. Terms. The chair and vice-chair shall serve terms of one (1) year from date of election and may be re-elected. Any chair or vice-chair elected to replace a vacated position shall serve only until the end of the original term of office.

Commonwealth of Kentucky

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MINUTES

(minutes were approved as amended - deleted language is in struck through; replacement or added language is underlined)

CMRS Board meeting ~~11/17/99~~ 11/18/99

Meeting called to order by Vice-Chair Shelby Horn at approximately 10:00a.m.

Members present: John Patterson, Forest Skaggs, Richard Guittar, David Lucas, Kenneth Hardin, Shelby Horn, Mike Barnes, John Schmoldt

Members Absent: None

Introduction of new board members:

Captain Kenneth Hardin replaced Captain Witt from KSP

John Schmoldt - Appalachian Wireless Term expires in 2001

Mike Barnes - Sprint PCS Term expires in 2003

The minutes were reviewed

- Discussion of meeting minutes from October meeting - noting the following changes:
 - The previous meeting's date was misprinted
 - The motion to amend 65.7631 asking the legislature to raise the administrative portion of the fund from to

2 1/2% to 5% should have been stated that "the Board requests authority from the legislature to adjust the percentage to the amount needed within the range of 2 1/2% to 5%"

- Motion to approve as amended by Guittar, Lucas seconded - approval was unanimous

Horn requested that future meetings be recorded and tapes saved for reference when discrepancies arise

Financial report:

- Report on carrier remittance.
 - Action Plans are in place for those 6 carriers that are in arrears.
 - The sub accounts needed by the CMRS Fund have been created in MARS (the Commonwealth's new accounting system) which has been some of the problem in getting our accounting established
 - July revenues showed 750, 000 subscribers and projected annual revenues in excess of \$6 million.
- Report by Mike Presson from GOT on accounts' status.
 - All accounts have been established and all monies are being verified.
 - No money has been transferred into accounts accessible to board staff, but they are in an account separate from the General Fund.
 - Interest is being posted, but the rate earned has not been determined. The rate being posted currently is being questioned. It should fluctuate between 4-7%.

Administrative Report:

- Discussion of pending regs.
 - Regulations are ready to be sent to the Governor.
 - They were held up waiting for the reg on disbursement of frozen funds to be written.
- Discussion of remittance discrepancies and how to fix.
 - Motion made to amend form by: Guittar second by: unknown - unanimously approved
- Web page
 - Domain issues have been resolved
 - Do not use "www" to access cmrs website page - type "cmrsboard.state.ky.us"
 - Completed regulations and other updates will be posted by board staff
- A Monthly report
 - Is required to be produced by GOT.
 - It includes identification of Critical Issues, Accomplishments, and Planned accomplishments -
 - A copy of the October report is attached.
 - Future reports will also be submitted to the board
- Check off sheet and application form for PSAPs
 - The board directed that the "form and format" noted in the PSAP certification regulation be developed.
 - It was also agreed that a sample non-disclosure agreement be provided with the application packet.
 - Bonnie Cummings (BellSouth) offered a sample letter that TELCOs could give to PSAPs
 - If the board will accept it in lieu of a copy of the contract between the PSAP and contracting 911 system provider and a description of the network as specified in the regulation.
 - Bonnie stated that the original contracts could be difficult to locate and because much of the content is subject to tariffs may have been superseded by current tariffs approved by the PSC.
- GIS Training
 - GOT has directed that board staff must work with existing professional services contracts where possible. In this case with PlanGraphics or with the Commonwealth's OGIS office.
 - Lucas wants to know why the Board has to use the contract rates instead of researching and finding rates

of their own. Will we have to follow this protocol for attorneys, and other services?

- Lucas also asked for a report of why there was a problem with the training.
 - Patterson reported that he had been informed that there would be no problem in securing training from an outside source since OGIS was not interested in providing the customized training desired. All that would be needed is a simple letter from the trainer stating the scope of work and price along with a letter from the board indicating that OGIS could not provide the training and specifying the number of hours needed and purpose for tailored training.
 - When the necessary paperwork was submitted to GOT, Patterson was informed that existing professional services contracts should be used instead. Unless it was determined that no other avenue existed the previous direction was to be abandoned.
 - Unfortunately, the training had already been scheduled. So the first class was allowed to proceed and would be paid under miscellaneous labor.
 - Contacts with PlanGraphics determined they would be glad to meet our needs and develop turnkey applications. OGIS now believes it could probably be more accommodating.
 - The whole exercise has been frustrating. Little real progress has been made in developing further GIS applications.
- Office space.
 - Most of the offices at Fair Oaks are being reassigned to MARS staff. Most of Telecom staff is being moved to Cold Harbor
 - Moving CMRS offices may occur in January or not at all - no clear answer has been received
 - Further Board meetings will have to be conducted elsewhere because the conference room will be cut up into individual spaces.
 - The board may have to contemplate paying for office space at some point.

The meeting broke for lunch

Call Counting Discussion:

- Considerable discussion was held regarding the need to proceed more quickly on a decision re: a call counting strategy
 - It was emphasized that being able to count transferred calls was very important to small or rural PSAPs - especially in Phase I.
 - PSAPs will often not be able to receive calls initially due to the carriers' inability to route calls to the proper PSAPs because of the PSAP's small jurisdiction or the carrier's use omnidirectional towers.
- The Board has thus far identified three strategies to count calls
 - Have the carriers do it.
 - Initially carriers said it couldn't be done.
 - After some study, several announced it was possible, but the costs could easily reach \$60,000 just to develop the software.
 - Recurring costs would also be a factor.
 - Counting transfers would not be possible at all.
 - Also counts would not likely be done in the same manner creating possible inequities.
 - Have the PSAPs do the counting.
 - Several PSAPs may have the ability as part of their CPE (customer premise equipment).
 - However, counts from CPEs would not always follow the same format
 - CPEs used in many PSAPs is not able to distinguish between wireless and wireline calls and sometimes will not even count calls at all;
 - Given the amount of money involved the possibility of tampering with the data can not be ignored.

- The "black box" (RAN Technology's Line Logg-r) may solve the transfer problem
 - Tests would be needed.
 - Other problems associated with it are
 - How to pay for it?
 - Who will own the equipment?
 - John Patterson, Bonnie Cummings, and other Bell South personnel & some from RAN held a conference call during the previous week to try to answer some of these concerns.
 - It was determined that RAN could develop software and provide a turnkey solution that CMRS Board could own and operate.
 - Will this have to put out for bid or can it be made a part of cost recovery?
 - Also the question remains how to fund the cost of the units in the individual PSAPs.
 - It is possible that some of the TELCOs might install these for their own internal reasons and give the board access to the data.
 - A presentation of LINE LOGG-R™ was requested at the next meeting or by the 16th.
 - Guittar motioned to move black box testing analysis to subcommittee, seconded by Patterson - approval was unanimous
 - Subcommittee of Guittar, Lucas, Patterson, and Bonnie Cummings established

Even distribution of PSAP funds

- Issues
 - At least two PSAPs (Pike & Harlan KSP posts) have multiple boards
 - All agreed that as part of certification, it must be determined
 - who the payee is for disbursements
 - what address should be used
 - How to fairly distribute accumulated funds to PSAPs
 - How to start disbursements and give those who are ready adequate time to certify before the first regular quarterly disbursement
- PSAP funds - Fund distribution regulation
 - A draft regulation was presented for the board's review
 - Volume disbursement was deferred to a future discussion after it is determined how to count calls
 - Revenues remitted for pro rata disbursement prior to April 1, 2000 will be frozen
 - The board will establish a date by June 30, 2000 by which any PSAP wanting to participate in the frozen pro rata disbursement must have certified
 - Any PSAP certified by July 31, 2000 shall be eligible for the first quarterly disbursement -
 - This will allow those who have to appropriate money in a new fiscal budget and get approval for expenditures necessary for a successful certification
 - Any PSAP certified by a quarter's end will be eligible for that quarter's disbursement
 - Quarterly payments will be made on or before the midpoint of the following quarter.
 - This regulation will be enacted with the others
 - Motion to accept as amended by Lucas, second by Guittar - approval was Unanimous.
 - Skaggs requested copies as soon as completed by the board attorney

Prepaid discussion

- A brief report was given on the Carrier Committee's work on collecting revenues from prepaid wireless service

- Current revenue stream is very small at this time
- Collecting fees have numerous impediments
 - Carrier billing software
 - Defining what is a billing period as intended by the statute
 - Some consumers will use several prepaid blocks in a month
 - Others will take several months to use the same or smaller block of prepaid service
 - Cost / benefit of revenue stream vs. cost of collection
 - Prepaid service is being marketed on the internet, by traditional carriers, by resellers
 - Who will collect the fee and remit it to the board
 - Some resellers buy time from a national carrier in large block and then sell it over several states
- Some carriers feel that the current revenue stream available to the board is adequate
- Some carriers feel that the current statute never intended to capture user fees from prepaid service
- Some carriers feel that not collecting revenue from prepaid service puts those carriers who do not market this service at a competitive disadvantage
- Board directed that the committee continue to monitor the situation

Next meeting is Dec 2nd.

Patterson motioned that the board elect a new chairman at its next meeting, second by Guittar - approval was unanimous.

Lucas motioned to adjourn, second unknown

Monthly Report - October, 1999

John J. Patterson

Critical Issues:

1. Resolve accounting issues

- Get interest-due since inception posted to accounts as required by statute
- Ensure interest is continuing to be posted
- Get funds distributed into the various sub accounts
- Establish audit trails for handling checks, bills, etc.
- Begin paying CMRS bills out of administrative accounts

1. Create working budget

2. Hire Staff person

3. Get Regulations enacted as emergency regulations

4. Ensure that the initial disbursement of accumulated PSAP funds are evenly distributed to all eligible 9-1-1

centers

5. Define how funds will be divided among multiple boards contracting with one PSAP
6. Establish how call counts will be provided for "Volume" PSAP fund disbursement
7. Develop proactive mechanism ensuring the continuing ability of the CMRS Fund to collect a monthly user fee per wireless connection regardless of new marketing strategies by wireless carriers

Accomplishments:

1. CMRS sub-accounts created in MARS
2. Regulations finalized and approved by CMRS Board
3. Vacancies filled by the Governor
4. All identified carriers have been contacted and are or will soon be in compliance with remittance requirements
5. Legislative initiatives approved by CMRS Board and forwarded
6. Assured continuing legal support through transition to GOT
7. Provided presentations re: "How the CMRS statute will affect their local 9-1-1 operations" to Cynthiana-Harrison County 9-1-1, Knox County 9-1-1, Calloway, Graves, Hickman, Fulton & Ballard Counties' Regional 9-1-1, Owen, Henry & Trimble Counties' Regional 9-1-1, Muhlenburg County 9-1-1, and Carter County Fiscal Court.
8. Worked with LECs to establish that they are or could be capable of providing call counts with a high degree of reliability & integrity in a way that the CMRS Board could own and retrieve independent of the PSAPs and carriers
9. Established a working group of carrier representatives to address how to collect user fees from prepaid wireless subscribers
10. Began GIS training
11. Resolved web site problems and took over updating

Planned Accomplishments:

1. Continue to meet with local 9-1-1 center management
2. Establish exactly how call counting will work and who will pay for it.
3. Finalize accounts issues
4. Get regulations enacted
5. Create PSAP Certification Application & checkoff sheet and non-disclosure agreements per confidentiality regulation
6. Draft, secure Board approval, & enactment of a regulation defining how both accumulated and ongoing PSAP funds will be distributed

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MINUTES

(minutes were approved as amended-deleted language is enclosed in parentheses and replacement or added language is underlined)

CMRS Board meeting (9/30/99) 10/14/99 – called to order by Administrator John Patterson at approximately 10:00a.m.

Members present: John Patterson, Forest Skaggs, Richard Guittar, David Lucas, John Witt

Members Absent: Andy Hall, Steve Lochmueller, Shelby Horn

The minutes were reviewed.

Forest requested clarification of legislative issues

Does the Board endorse clarification of PSAP representation and carrier representation be balanced among rural/urban members.

Board's position on KSP issue is that the Board will remain neutral.

Distribution of funds was sent to subcommittee for discussion

Motion to approve as amended by Lucas, Guittar second - approval was unanimous.

Guittar requested that it be noted in the minutes if a member of the Board leaves.

Administrator's Report

Webpage is ready - use cmrsboard.state.ky.us - do not use the "www" prefix

Nationwide adoption by US Congress of 911 as the wireless number to call was discussed

Discussion of correspondence with carriers

Richard recommends that we amend remittance document to get clarification of licensed areas that payment reflects.

Forest suggests that we contact carriers who are delinquent again after the Oct. 15th as a second warning.

Financial update

Lucas asked that expenses be put into categories instead of specific items as currently listed.

Discussion of account set up

Discussion of carrier remittance

Legislative issues

Discussion of regulatory impact analysis

Discussion of adding a vote for KTA:

using the administrator's vote being as a tie-breaker, addition of Carrier and PSAP members to increase Board size, representative from rural PSAP that is involved with the running of a PSAP. Witt motions to petition legislature to change KTA to voting member. Guittar amends the motion to restrict the administrator to tie breaker only. Lucas seconds - unanimous approval

RE; adding board members -

Lucas motioned to add 1 rural PSAP and a PCS member; after discussion noting that the Board should be careful to not lock itself into a specific mix of members - Lucas withdraws motion;

Guittar motions to rescind Witt's motion as amended giving a vote to the KTA member. Witt seconds - approval is unanimous.

Witt now motions that the Board petition the General Assembly to amend the statute to allow KTA to vote and add another voting member with operational responsibility for operating enhanced 911 PSAP. Patterson seconds. - Approval is unanimous.

Call counting - to be handled by regulation, not legislation

Raising administrative percent.

Motion to amend 65.7631.1 (from 2 1/2% to 5%.) to give the Board the authority to adjust the percentage needed by the board for administrative expenses within a range of 2 1/2% to 5%. Second by David Lucas. - Approval is unanimous. (Bonnie Cummings added that we would need to present to Special Committee on Energy)

PSAP accumulated fund distribution

The subcommittee of Witt & Lucas presented a recommendation to freeze all distribution of funds to PSAPs until a preset (by the Board) in the future when all PSAPs likely to do so have been certified. Much discussion followed including the points that this might still be addressed by regulation and that PSAPs are not likely to wait until 3rd quarter 2000 or later to receive funds. The issue as tabled until we get legal opinion as to the possibility or doing this in a regulation.

Endorsement of co-location of 911 coordinator within the same cabinet-

Lucas motioned to accept recommendations as agreed, Guittar second - approval is unanimous

Discussion of prepaid remittance sent to Carrier Committee - Guittar, Witt, Patterson, Horn, Keily

Witt -motion to adjourn, Guittar second

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MINUTES

CMRS Board meeting 9/30/99 – called to order by Chair Steve Lochmueller at approximately 10:00a.m.

Members present: John Patterson, Shelby Horn, Forest Skaggs, Richard Guittar, David Lucas, Steve Lochmueller, John Witt

Members Absent: Andy Hall

Welcome and Introductions

Participating via teleconference were two representatives from Sprint, as well as other carrier and Psap representatives present phsysically. Angela Robinson provided legal counsel.

The minutes were reviewed. Motion to approve by Skaggs, 2nd by Guittar - unaimous approval

Discussions of Dispute Resolution Regulation:

Section 2 Line 1 add numbers beginning with 1. before F.

Motion by Lucas, 2nd by Horn , Approved as Rev3

Discussion of Definitions Regulation:

Page 2, line 9 Change when to if after PSAP

Discussion of need to add ANI definition. No.

Page 1 line 15 if change when to if

Page 3 line 2 eliminate duplicate and

Discussion of need to define "carrying charge" No.

Page 2 Section 15 line 20 change emergency service routing digits to pseudo-ANI

Add definition of Pseudo-ANI as defined in the FCC and KRS 65.7621.16 as #15.

Page 3 Line 10, add "or other approved documentation" after invoices

Add colon after which and appropriate semi colons.

Motion to approve by Guittar, second by Lucas, Approved as Rev7.

Discussion of Confidential and Proprietary Information Regulation

Strike page 3 line 3 The storage..... through information.

Strike Page 3 lines 13 and 14 b and c.

Page 3 line 17 change "and" to "or".

Line 15 will become "b".

Page 3 line 20 add and move b under a,

22,23 need semi-colon and "or"

Skaggs makes motion to add option to return to proprietor (becomes C), Lucas second, approved

Section 4 item 4 line 9 change carrier to party.

Change page 2 line 3 shall to may.

Patterson motion to approve, Witt 2nd, approved as Rev8.

Discussion of Cost Recovery Regulation:

Page line 13 delete assumed to be

Page 3 line 10 change "presentation by" to "meeting with"

Page 3 line 19 Section (a)

Page 3 line 7 insert mail after express

Page 4 line 7 strike sentence.

Page 5 line 9 move except to beginning of sentence

Page 5 line 21 change shall to may

Page 7 line 4 section 2 STRIKE

Page 7 line 17 change withhold to cease.... until the carrier complies -Patterson moves to adopt new language, Witt 2nd, approved

Page 8 line 14 change to KRS .13

Page 8 line 7 add ";and"

line 9 add ",or" - Motion to approve by Guittar, 2nd by Patterson, approved

line 12 should be fund not fund's

Patterson makes motion to approve, Witt 2nd, Approved as Rev10

Discussion of PSAP Certification Regulation

Page 2 line 4 add service after express

Page 3 line 23 add "."

Page 4 line 14 and 15 STRIKE (5)

line 16 strike "from time to time"

line 23 motion to delete sentence by Lochmueller sentence, Guittar 2nd, approved - Horn opposed

Motion to approve by Guittar, 2nd by Lucas, approved unanimous.

Administrator's Report

Financial Report

Discussion of carrier letters.

Demand money

Clarify between letters as to remittance status.

10/15 and 11/1 established as dates required for responses.

Legislative Issues:

#1 Motion by Lucas to endorse, Guittar 2nd. Unanimous

#2 Add a rural PSAP, add a PCS carrier and give KTA a vote.

#5 Fund - operating %

#3 Volume formula disbursement - call counting mechanism is deemed to be at Board's discretion

#4 Distribution of accumulated funds for Phase II, black box, grant applications etc.

Endorsements:

#1 More specifics needed.

#6 Board's position is that we need every wireless 911 call to be handled by a certified PSAP, but should stay out of the discussion on KSP's proposal unless asked to comment.

- Motion to adjourn by Lucas, Guittar 2nd.

**Commercial Mobile Radio Service
Emergency Telecommunications Board
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Frankfort, Kentucky 40601
Phone (502)564- 2632 Fax (502)564- 3204**

CMRS Board Meeting Minutes 09/10/1999

Called to order by Vice-Chair Shelby Horn at approximately 10:00a.m.

Members present: John Patterson, Shelby Horn, Forest Skaggs, Richard Guittar, David Lucas (via teleconference)

Members Absent: Andy Hall, Steve Lochmueller, John Witt

Welcome and Introductions:

Presentation by Aldona Valicenti - CIO of the Commonwealth

Discussion of Cost Recovery

Page 3 Section 5 strike and make language changes to Section 7 to reflect change of "de-certification verbiage to revocation verbiage.

Change response dates to 10 days across all references.

Verify document against latest draft.

All Board members will forward changes to John within a week who will compile and forward to Angela for final draft for vote at next meeting.

Discussion of PSAP Certification documents:

Brief discussion on cost of insurance and the need to research other carriers before accepting the proposal from E. M. Ford in Owensboro

Motion to approve minutes by David Lucas, 2nd by Richard Guittar

Motion carried.

Patterson recommended establishment of a legislative committee to hash out details of legislative recommendations. Discussion ensued:

Decision to instead, treat as agenda item on the 30th. All members relay opinions in through John and try to hash out details prior to that meeting so that Board can vote.

Motion to adjourn by Guittar, second by Patterson

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CMRS Board Meeting Minutes 08/26/1999

Called to order by Chairman Steve Lochmueller at approximately 1:30p.m.

Members present: John Patterson, Steve Lochmueller, Shelby Horn, Forest Skaggs, John Witt, Richard Guittar, David Lucas

Members Absent: Andy Hall

Minutes approved with the notation the F. Skaggs could offer changes at the next meeting – Guittar motioned to accept; Witt 2nd

Carrier Filing Committee report. Committee Chair Guittar reviewed the changes he had e-mailed to the Administrator and those that had been discussed in committee.

Some discussion followed on specific language.

Strike item 5 / line 14 / page 5

Page 9 / line 12 amended to read carrying charges established in the approved plan

Note on page 3 line 19 will come under further study.

Page 6 Change shall to may in line 4

Page 3 lines 13 and 14 item c. strike

Page 3 Section 5 - eliminate but move substance to section 7.

Page 5 Paragraph 8 – strike

The Administrator will review the reg for undefined acronyms and definitions created.

Angela Robinson will reword section 6 stipulating the amount of time allowed to the Board for notification of its decisions. Those sections should clearly indicate the Board will notify carriers within 10 business days of its decision.

It was agreed that language addressing identical issues in different regs should be the same where possible.

The document will be redrafted and submitted for final approval at the next meeting

Dispute resolution Reg:

to be fully explored by Legal and reported at next meeting.

Definitions Reg :

Request reference to FCC mandate for definition of Phase 1 and 2

Approval deferred to next meeting

Confidentiality Reg:

Questions regarding necessity of individual employees of PSAP's to sign confidentiality agreements.

This statement will be stricken and handled within the PSAP cert document

There was some discussion on specific language.

Page 2, line4 strike "to PSAPs according to the PSAP volume formula"

Add line for covering use of info for PSAP to handle calls

Page 1 line 19 add PSAPs

Page 2 line 19 strike or by the CMRS carrier prior to submission

Page 3 line 2 strike PSAP and CPA

Changes will be drafted and the reg resubmitted for final approval at the next meeting.

Use and Distribution of PSAP Funds Reg:

Several changes agreed to in committee but not recorded in the new draft were pointed out by Committee Chair Horn.

There was some discussion on specific language.

Page 2 line 1 replace as long as with Cost recovery language.

Strike page 2 line 12 beginning with "CMRS funds shall not..."

Merge (2) with total paragraph Section 3.

PSAP Certification Reg:

Add Documentation of non-disclosure agreements signed by telecommunicators and PSAP management staff was added as a subparagraph to section 1, subsection 7, paragraph d.

Committee Chair Horn pointed out the omission of "Certificate or" as the first words and "Commonwealth of Kentucky" as the last words in section 1, subsection, paragraph d, subparagraph 4.

Attention was then focused on the section 1, subsection b, paragraph 6. Considerable and lengthy discussion occurred among the Board members with significant input from the audience. Capt. Witt and Administrator Patterson voiced the two basic opinions expressed by those present. Capt. Witt noted that KSP could not assent to any language that could be construed to restrict it from answering calls for service from the public. Administrator Patterson noted that the credibility of the Board would suffer if it took a position that appeared to encourage KSP to create PSAPs that might be in conflict with local agencies. Several audience members offered thoughts on both sides of the issue. After several attempts to

craft satisfactory language, the Chairman directed that Capt. Witt and Administrator Patterson work together off-line to craft agreeable language and report to the full at the next meeting.

The requested changes will be drafted and the reg resubmitted for final approval at the next meeting.

Administrator's Report:

Budget discussion:

We have been informed that a budget (at least the bottom line figure) must be given to Finance by Monday (8/30). LaChelle Taylor (Finance) advises to add the balance of last year's (\$59,000) and the projected available funds for this year (\$140,000), and use the resulting total - \$200,000 as this fiscal year's budget. Line item details can follow later.

The insurance agent in Owensboro (Bill Hume, E.M. Ford Agency) was contacted about the cost of liability insurance. Insurance will cost \$5000.00 annually for \$1 million coverage with a \$2500 deductible. Several questions were asked: Is this \$1 million per member, per incident. That information will be gathered from the agent.

Suggested budget detail was offered to the Board for review. Board members wanted to know how difficult it will be to move money from one line to another. Several expressed the opinion that moving personnel money will probably be tough. Clarification will be sought.

Board members offered the following changes: add insurance @ \$5000.00; add \$10,000 in first operating as misc; add \$1000 to computer services; add \$11000 to second operating misc.

Motion to approve by witt, Richard second

Webpage update:

We have had difficulty reaching our new web page developer. Jay, the former developer has left state government. At this time a separate domain has not been created. You must continue to access our page via Kentucky's home page and then going to agencies and clicking on CMRS under the "Cs". You can place a bookmark to get to the "Cs" in the listing which will shorten the effort, but will still have to click on CMRS at that point.

Board vacancies update:

A call to Bill Beam to ask what the status of our appointments for vacancies is – resulted in him directing us to Crit Luallen for further input. An appointment with her is now being sought.

Carrier Remittances discussed:

A carrier not reporting before (GTE Mobilenet) has sent a remittance; Powertel has caught up their arrears payments; otherwise the earlier reports stand. 8 known carriers have not made contact, 6 are deficient in some number of months. Stepping up the collection efforts will commence in earnest as soon as the budget and legislative reports are complete.

Legislative issues:

A number of legislative issues were presented for the Board to begin thinking about. Board members were made aware that a legislative agenda must be presented to various parties within the executive and legislative branches of government within the next week. The issues presented were:

1. The Board will need some flexibility to address disbursements based on call volumes;

2. The Board will need to direction or flexibility as to how to initially disburse the accumulated "volume" funds fairly;

3. The Board should endorse the KSP proposal to serve as a safety net for 9-1-1 statewide and develop PSAPs at all their posts and be able to receive CMRS funds.

4. underfunding of Board and other fund inadequacies

5. providing a voting member representing LECs – probably balanced by another government representative (possibly east and west PSAP rep.)

6. more clearly delineate proper uses of funds – to be coordinated with 9-1-1 enabling legislation and

definitely to include public education and telecommunicator training.

Motion to adjourn by Witt second by Patterson.

**Commercial Mobile Radio Service
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CMRS Board Meeting Minutes 07/15/1999

Board Members Present were:

Shelby Horn

David Lucas

Forest Skaggs

John Witt

Richard Guittar

John Patterson

Absent:

Andy Hall

Steve Lochmueller

Minutes approved with noted changes.

Webpage presentation – Jay Whitaker, DIS

request to re-visit Mission Statement

reverse minutes dates to latest to oldest

Ability to scroll from one date to another from within a meeting

Remove banner from all pages except home page.

Add link to 94-102

also add link to Wireless Bureau

questions regarding board contacts

Remove members' email addresses

all individual board members can be accessed through CMRSBoard office mail address.

Remove Mary Vaughn from contact list.

update Board members part to better reflect who they represent.

Remove send e-mail graphic

Check spelling of liaison

Add KRS authority with mission statement

Add PSAP, Cost Recovery, and other sections as needed.

Proposed regulations could be posted for discussion.

Administrator's report

Conference recorder has been purchased for minutes.

Travel regs update

Legal update - Met with Rex Hunt, Angela Robinson. Andy Crocker was to provide backup for Angela and support in drafting regulations and working through that process. However, his wife was suddenly rushed to the hospital this morning and he could not attend today.

Meetings were held with Bill Beam & later with Rex Hunt, & Angela Robinson to review the process for emergency regs. The general feeling is that we can proceed on the fast track.

Met with John Arnold - Chair of Admin regs Committee as a courtesy call to let him know we would be coming with regulations soon. He was grateful and offered support staff

Discussion:

Forest offered the name of Susan Wunderlik to contact - Admin regs compiler.

There was much discussion and explanation of process. Denissa Davidson offered a summary of Chapter 13 A. The Board directed that inquiries be made as to clarify the emergency process & Ask Angela about Public Hearing Date for Notice of Intent

(Admin. Report cont.)

Goal of being able to complete and put into place emergency regs and solicit PSAP certifications and cost recovery requests by October 1 and remitting money by Christmas.

Office logistics

Boards and Commissions meeting - Bill Beam will provide heads up to the governor to be prepared for emergency order request (as reported above). Vacancies on Board were discussed. Balance was encouraged. Administrator recommended that a letter be drafted to all carriers soliciting interested parties.

Meetings with Bill Beam, Joe Barrows (Majority Whip), and Rex Hunt all revealed the need for legislative changes to be prepared and offered in the next 60 days.

Administrator will address energy Committee on August 20th at their invitation. They want an update on CMRS activity and 9-1-1 in general. This will be an opportunity to address some sketch some basic legislative concerns.

KENA/APCO update: Successful meeting

Liability insurance update – Meeting with Ken Haup, the state's Director of Risk Management who advised that the Board can not be sued but the individual members can. (In earlier meetings with Rex Hunt & Angela Robinson, this was discussed and they asserted that "implied immunity" would protect members, but you can still be sued.) Ken Haup agrees and asserts that defending a suit might still be aggravating and involve some expense. He recommended an insurance firm in Shelbyville. Still investigating options.

Meeting with Dave Ballard to thank him for the support of Telecom. He offered to supply us space and clerical support at least until year end when our financial picture is more clear. He also directed that we thoroughly document our accounting process, since this is more money than anyone realized.

Meeting with Ed Ross to begin documenting accounting process and move some of the processing to another section where these amounts are more common.

Meeting with Steve Dooley as a courtesy call and to see where CMRS will fit if at all into DIS reorganization. He instructed that a meeting be set with Mike Robinson to discuss this issue.

Financial Report

There is currently \$3,178,930.65 in the total fund. Subtracting the administration total available before expenses (\$79,473.27) leaves \$1,549,728.70 available for cost recovery and an equal amount for PSAPs.

In an attempt to begin to get some picture of finances and using a very rough approximation (since no one month exists yet when all vendors have reported), current revenues are projected for Admin. Budget are about \$8,800 per month; carrier cost recovery would run at \$176,123 per month; and an equal amount for PSAPs to be divided in half (\$88,061) each for "pro rata" and "volume" formula disbursements.

Presently the admin. Portion of the fund has about \$57,753.19 after expenditures of \$16,115.98 for travel, advertising, purchase of computer & conference recorder, cell phone, pager, one month's salary and benefits, & misc.

Concerns regarding administrative % are inadequate were discussed. \$8,800 will not pay for more than one salary and operating expenses.

Break for lunch

PSAP Certification Eligibility Discussion

Discussion: The board may coordinate roll-out based on some other criteria other than first come first served basis. Reference FCC document

Item 3d0 strike 15.530

Item 3a and b questions regarding requirement to document call count for calendar year in order to get money out of both pots. the regs will be broken down to individual sections that will clarify this issue.

Strike call counting from certification reg and create separate reg and reference.

Change language in 3 c to board from committee.

G3 language needs to clarify pro rata fund payments

Change D 1 b to state agreement instead of contract

Drop 1a and alter 1e to allow for KSP Post/PSAP issue

Consider 3a-e to be changed to a waiver clause.

Deferred to sub-committee for further work.

Cost Recovery Discussion

Amend A to reflect 30 days to respond to PSAP acknowledging receipt of letter and that PSAP has requested certification vs is certified.

Change language from committee to Board everywhere appropriate.

Suggestion made that statement be made exempting carrier from obligation to deliver calls to an uncertified PSAP.

Under Plan Requirement strike PSAP and a document stating that PSAP understands and accepts plan will be needed.

Under Plan guidelines E1 change incumbent to contracted.

clarification of "line of demarcation" ...the Board reserves the right to establish...

clarification of "similarly placed functional equipment"

E20 Call Counting issue raises. If black box solution is used.....Can cost borne by Board be siphoned from Carrier bucket until/if admin fee is changed?

Strike F2

Strike F3

F4 Strike "after discussion"

During the review process, the Board has the right to request supplemental or additional information from the carrier...

6 Duplicate statement in G3B in this process. the goal is to resolve issues before legal intervention is necessary.

D1

Discussion and clarification of amortization....

It is carrier's choice. Interest must be capped. further evaluation needed.

recurring and non-recurring cost should be handled separately using verbage from

SCC national plan.

Cost recovery subcommittee will be removed from admin reg and moved to Bylaws as an amendment as standing committee process.

Stand alone regulation will exist to handle confidentiality issue.

Motion to adjourn by John Witt to adjourn.

2nd by Shelby.

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CMRS Board Meeting Minutes 06/24/1999

Minutes approved by CMRS BOARD on 7/15/99

Board Members Present were:

Shelby Horn

David Lucas

Forest Skaggs

John Witt

Richard Guittar

John Patterson

Absent:

Steve Lochmueller

The meeting was called to order by Vice Chair Shelby Horn at approximately 1:00 PM

6/3/99 meeting minutes were approved with the following exceptions.

- 1. Captain Witt and Forest Skaggs both recommended minor changes concerning discussion about psap carrier contracts. Both feel the Board's primary role is to provide funding in addition to education and dissemination of information.**
- 2. Forest Skaggs questioned board members listed as co-chairs vs. chair and members.**

The next order of business was status of personnel actions involving administrator

position. Captain Witt reported to the Board that the Governors Office had selected John Patterson on June 18, 1999 and he had spoke with Lachelle Taylor in personnel office for further direction. The position had been established and listed as vacant and official employment date would be July 1, 1999.

The next course of action was board determination of salary for administrator position. Discussion ensued and it was decided that this matter should be handled in closed session at the end of meeting.

The next order of business was a presentation on call counting applications by BellSouth Business System and GTE Wireless. Vice-chair Shelby Horn introduced Bonnie Cummings with BellSouth. Bonnie introduced the BellSouth presenters Tom Breen and Terry McClarty.

Vice-chair asked Chris Jones from GTE to introduce speaker Ron Whinery with GTE Wireless.

Lunch

Presentation by GTE Wireless on XYPoint solution for call-counting.

PSAP Certification Sub-Committee Report by Chair Shelby Horn:

Sub-Committee members are as follows:

Forest Skaggs, KTA

Tom Sturtevant, GTE

Bonnie Cummings, BellSouth

Don Kiely, Cincinnati Bell

Dee Hopper, Christian County PSAP

Denisa Davidson, KSP

Mary Mullins, Madison County PSAP

John Patterson, Administrator

Steve Tracy, Woodford County PSAP

David Lucas, LFUCG Mayor's office

Committee will meet via conference call on Tuesday July 6 2:00 PM to review draft document prepared by John Patterson. John will submit draft document to committee members by morning of the conference call meeting.

Carrier Filing Committee Report by Chair Richard Guittar:

The proposed Subcommittee members are:

Richard Guittar, Chair

John Witt

Shelby Horn

Don Kiely

Susan Sherwood

Mark Freeman

Chris Jones

Steve Skinner

Administrator's Report by John Patterson: John reviewed correspondence that had been received from Capt. Keith Hill with the Northern KY Alliance and the enclosed invitation to speak at a luncheon to be held on August 19th, 1999. John accepted invitation.

Legal advisor status: Inquiries were made as to Board's legal status, John will investigate and report at next meeting.

Board retired to closed session to negotiate personnel and salary issues.

Board returned to open session.

Motion was made by John Witt to employ John Patterson as Administrator; effective July 1, 1999 at the annual salary of \$60,000, with a review for increment in six months, seconded by Forest Skaggs.

Personnel discussions followed as to whether a "Director" or above can accrue

compensatory time. Answer is yes. Question as to whether it is mandatory that the Administrator must submit a time sheet. Answer is yes. Discussion as to the pros and cons of purchasing a state vehicle or reimbursement for actual mileage of personal vehicle.

The general consensus was that at this time it would be more cost effective to provide reimbursement for travel mileage and then review this again in a few months.

Motion by John Witt to Adjourn, 2nd by Shelby Horn.



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CMRS Board Meeting Minutes 06/03/1999

Members present:

Steve Lochmueller

Shelby Horn

Richard Guittar

John Witt

David Lucas

Forest Skaggs

Minutes approved

Motion to accept by J. Witt / R. Guittar 2nd

Web site presentation:

Will call Bill Feldman and David McDowell at PSC to invite to meeting re: wireless directory

Will request update and link from B&C page.

Will be on next agenda for update

Administrator update by John Witt

Documents have been presented to Boards and Commissions for submission process.

Executive order for addition of Board to Finance organization in process.

Board department structure will include Administrator and one staff member.

Table decision of staff member classification until we can get copies of classifications after lunch.

Finance report-

Discussion regarding remittance status of vendors and notification process

Break for lunch

PSAP/Carrier contract discussion

Recommendation from S. Lochmueller to have vendors come together on this issue.

Witt recommended that PSAPs come together through KENA/APCO and perhaps the two entities can come to an agreement.

The question is raised: What is the role of the Board. Board consensus is to educate and recommend PSAPs and carriers to become knowledgeable of the cost recovery issues prior to signing contracts with each other.

All questions will be referred back to the law. The Board will not advise them to sign or not sign a contract.

Revisit of letter targeting re-sellers.

Change letter to reflect July 15th deadline for response.

Board Priorities:

Steve recommended that the board members average 3 ongoing priorities

Richard recommends that we disseminate priorities to sub-committees.

Top priorities discussed:

- Statement to auditor for year-end audit. August deadline.
- Prepare annual report to Governor re: subscriber rate change.

David and Steve will draft and present at the next meeting.

- Establish sub-committees to address all these issues.

PSAP certification will be assigned to PSAP Committee

Shelby Horn, David Lucas and Forest Skaggs will co-chair.

As part of that, call counting will be addressed.

Carrier Filing Committee -co-chairs Richard Guittar, John Witt, and Shelby Horn. Others will be invited. Wireless call counting will be tabled until after wireless presentation.

Administrative Regulations tabled.

Mary will pursue legal counsel representation issue.

Chris Jones has requested to provide presentation on wireless handling of delivery and call count.

John Witt brought forth information regarding the interest in a landline 911 statewide coordinator that has been stimulated by the PBX 911 subcommittee that he has been working on.

Personnel presentation by Jim Stanley

Motion by S. Lochmueller to attach Principal Asst. 1 as Board Staff.

R. Guittar 2nd.

Agenda for next meeting:

Announcement of Administrator.

Presentations: BellSouth 1:15 and GTE Wireless 2:15 (45 minute total time limit for each

presentation.

Webpage presentation 3-3:30

Committee presentations of members and goals & objectives

Motion to adjourn by Steve.



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CMRS Board Meeting Minutes 05/20/1999

Members present -

Steve Lochmueller - teleconference

> Shelby Horn

David Lucas

Captain John Witt

Forest Skaggs

Richard Guittar

Not present-

Andy Hall

Welcome and Introduction by Shelby Horn

Review of 5/6/99 Minutes

Minutes amended to reflect Richard Guittar -not in attendance

Minutes amended to reflect change from presentation of letter from BSM to motion or resolution from Forest.

Motion to accept minutes as amended by Witt, second by Lucas, abstain by Lochmueller.

Status on Administrator position-

3 names for submission to Governor have been decided upon.

Witt made motion to submit names to the Governor in order of Board preference.

Richard Guittar 2nd, unanimous.

PSAP education letter approved

David made motion to send letter as amended. Second by Witt, abstained by Lochmueller.

Financial report by Mary

Discussion of carrier submission concerns

Report will be formulated for incoming Administrator.

Meeting with Controller scheduled for Friday, May 28 with Mary, Lucas and staff.

Carrier / PSAP contracts discussion tabled.

Admin regs discussion tabled.

New business-Shelby Horn

Letter from BellSouth Mobility submitted re: call accounting strategy

Discussion ensued re: acceptable cost recovery

Bonnie Cummings brought up option for LEC to capture and report call accounting information through a 3rd party vendor.

Board expressed interest in a presentation. Bonnie will get back with a date for presentation.

Scheduling discussion:

KENA quarterly meeting is July 8th in Elizabethtown -Wireless carriers will be invited and board members are invited also.

July board meetings on the 15th at 10 am

29th at 1 pm

August board meetings 12th at 10 am

26th at 1 pm

Forest brought up resolution for proceeding with Phase 1 deployment

Needs legal review and recommendation prior to next meeting. Agenda item next meeting.

Board Priorities/admin regs on agenda next meeting

Monthly priorities to be presented by individual members at next meeting.

Mary will re-submit Andy Hall's documents for cost-recovery and confidentiality for agenda item at next meeting.

Steve Skinner-BellSouth raised question as to whether an average income expectation could be determined. David Lucas recommended that we wait until July when we should have a more complete response.

Motion to adjourn by Witt, 2nd by Shelby.



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CMRS Board Meeting Minutes 05/06/1999

Present:

Shelby Horn
David Lucas
Forest Skaggs
John Witt
Steve Lochmueller

Not present:

GTE Wireless representative - Andy Hall submitted resignation

awaiting Governor's order for replacement

Call to Order by Shelby Horn

ILEC presentation by Bob Emmons from Alltel

Handouts available

Minutes amended to reflect change to NENA only conference

Motion to approve amended minutes by Witt -unanimous.

Old business:

NENA representation would cost approx. \$1500 per person.

June 14-17 Charlotte, NC

Motion made by Horn to have CMRS fund attendees that would like to attend per state guidelines. Witt 2nd, unanimous.

Financial report- Mary will formulate report to provide to administrator upon appointment.

Website presentation to be on June 3rd.

Discussion regarding Board member correspondence.

Correspondence to be facilitated through the board office.

Administrator update by J. Witt - Reduction of 30 candidates to 4 through point system. Interviews of 4 candidates have been scheduled and will be completed by June 20th. Personnel Cabinet has raised issues concerning use of grade 19. Need to move to 18 or 20. Tabled for discussion at next meeting.

Admin regulations formulation tabled for next meeting.

Sample wireless provider contract distributed to board members for review and discussion at next meeting.

PSAP education letter distributed for review and discussion. Tabled for vote at next meeting.

Forest presented letter from BellSouth Mobility regarding cost recovery of rapid deployment for Phase 1 prior to Board cost recovery guidelines. Recommendation to review this issue with legal. Tabled for future meeting.

Motion for adjournment by J. Witt.



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CMRS Board Meeting Minutes 04/16/1999

Members present:

Steve Lochmueller
Forest Skaggs John Witt
David Lucas
Shelby Horn
Richard Guittar

Not present:

Andy Hall

Minutes approved Motion to accept by J Witt, F. Skaggs 2nd.

Old business- Review of letters from PSAP and carriers.

Forest requested-Put copies of the official certified letters to carriers

Board instructed Secretary to resubmit letter to Wireless2000 (cert.)

Discussion on Kentucky Cellular letter:

Steve expressed concern over relieving carrier from August date.

Other Board members concurred. Input from attendees agreed.

David Lucas made motion to respond stating need to remit from August 15th date and Board's inability to make decision contrary to law. Shelby 2nd.

Forest made motion to agree upon standard letter drafted by attorney to go out to this and all future letters on this issue from other vendors. David amended and made motion to include standard letter to be drafted as above. 2nd by Richard. Unanimous.

Discussion on CellularOne letter:

Response letter to state mutual understanding and statement to remit financial requests in monthly invoice format. Mary will draft.

Discussion on Alltel letter:

Acknowledge receipt to include statements as follows:

Please keep advised of status.

We're glad you understand the criticality of need.

Shelby raises question regarding Alltel's wording regarding "if". Discussion ensued.

Same basic response to CFW

Discussion ensued re: CMRS provider representative responsibility to educate providers.

Dick Bartlett raised issues regarding responsibility of providers to

provide this info vs. PSAP and/or Board responsibility. Recommended perhaps legislative revisit is in order. Forest stated that KTA is planning to provide Forums for all players including providers.

Springfield attendee interjected concerns about potential delay and impact on affected PSAP. Reiterated by other attendee who also stated that he felt that Board is getting bogged down and off focus. Chair recognized concerns and reiterated that the Board is focused on establishing administrator.

Adair County 911 letter

Response to letter - acknowledgement of receipt. Standards will be forthcoming.

Discussion of Fund.

Need summary at open meetings, not breakdown by carrier due to proprietary information, list of carriers and time frames remitted.

Discussion regarding payables-Meet with Susan regarding administrative expenses... David will meet with Ed Ross and staff for process. Possible payment by telecom and inter-accounting CMRS Board when accounts are split will be investigated.

Discussion of Providers other than traditional cellular/PCS:

Richard Guittar explains and recommends that we send letter to these providers requesting clarification as to whether they qualify. This should also include carriers with onus to notify re-sellers and to convey to us their list of resellers.

Richard will draft letter to non-cellular licensees on PSC list.

Mary will draft letter to carriers regarding resellers

New Business:

John Patterson requested board member to be representative at PSAP Forum being sponsored by KENA-APCO. Dee Maffet also stated that wireless carriers will be requested to come.

July 8th in E-Town is the date for Forum.

Break

PSAP Statewide/Regional Educational Procedures, presented by Shelby.

Discussion regarding PSAP information letter ensued.

Changes will be made and update will be re-submitted at next Board meeting.

Administrative Regulation discussion.

Mary is designated to create combined document and submit at next meeting for board review and feedback. Will approve at next meeting for submission to legal.

David Lucas brought up need for standard contract for PSAPs and wireless carriers. Dick Bartlett reiterated request for Board to create standard contract. Discussion ensued. Agenda item next meeting

David Lucas recommended that as many Board members as possible be represented at the NENA-APCO conference June 14-18 Charlotte, NC Deferred as agenda item next meeting.

Personnel committee presentation-John Witt

30 timely applications submitted reduced to 9 that will be submitted to the Board. Board will review 9 in alpha order in detail, ranking from 1-9. Committee will compare rankings with opportunity to defend rankings and Board will come to consensus for # to interview. If during interview process, it is determined that alternatives need to be interviewed then they will be re-called. Should full Board interview all candidates is question. Consensus yes. Background investigation recommended. Consensus yes.

Applicants that will be interviewed will be sent packets with state applications to complete and return by April 30th. LaChele in Finance can help with process.

John will mail packets.

Goal interviews completed by May 20th and submission to Governor June 1

Motion to go to Closed Session for review and discussion of applications by J. Witt, 2nd by F. Skaggs.

[Return to open session](#)

[Interviews to be held no later than May 20th.](#)

[Motion to adjourn by David Lucas, John Witt second.](#)



[Last modified: September 19, 2001](#)

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CMRS Board Meeting Minutes 04/01/1999

Members present:

Steve Lochmueller

Forest Skaggs

Shelby Horn

Richard Guittar

John Witt

not present:

David Lucas

Andy Hall

Minutes approved Forest 1st, Richard 2nd.

Old Business:

Status of PSAP letter: ready to go out,

reviewed by Board, signed by S. Lochmueller

Richard recommended that "by the board" be added to the 5th paragraph.

Board decision: Motion to approve letter by John, 2nd by Forest

no changes.

Mary raised question of need to send letters certified. J. Witt feels that it should be, Forest concurred. Discussion ensued. Decision made to send first class mail only. Double check addresses, request address changes from KSP before sending.

Introduction of web-page development team.

Richard, David and team will get together and then they will come together again at May 6th meeting.

Dick Bartlett recommended link to LRC KRS and referenced KY EMS page as reference.

Fund update: Appalachian Cellular paid in.

Run ad in Lex Herald Leader again on Sunday for \$181.00.

Teleconference with Ken Lowden at Indiana Wireless 911 Board.

Initial problems that they are experiencing have to do w/ inequality between costs per sub for rural carriers vs. urban carriers. Some carriers are deadlocked on this issue, some are proceeding without full cost recovery.

They also have specified PSAPs must be able to receive true Phase 1 wireless call.

LEC trunk connectivity issues are stalling progress.

NENA and APCO helped organize 5 regions and education process.

reseller issue....

What resellers are operating in KY?

What about prepaid?

Bonnie Cummings questioned whether Indiana has non-govt run PSAP's? NO

John Patterson queried re: LEC representation on Board. IN does not have representation on Board by LEC and does not feel it is needed.



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CMRS Board Meeting Minutes 03/18/1999

Members present:

Steve Lochmueller

David Lucas

Richard Guittar

John Witt

Forest Skaggs

Members Absent:

Andy Hall

Shelby Horn

Welcome by Chair-Steve Lochmueller

Motion to approve minutes by Captain Witt, second by Forest Skaggs

Old Business:

Administrator advertisement update:

If Lex ad did not run... run on the 4th of April.

CMRS letter responses discussed:

Decision to send PSAP list to those carriers that request it.

Status of Remittance letter discussed:

Letter is out, update at next meeting

John Witt explained call routing from carriers to KSP to PSAPs.

David Lucas introduced PSAP letter for discussion.

Mailing to PSAP's to go out also to League of Cities

Patterson brought up adding KACO and sending provider list to PSAPs

Eddie Martin -Sprint questioned education effort to PSAPs referred to Shelby's intent...hopefully at next meeting.

Open Discussion:

Mark Freeman-Bluegrass Cellular wants to have info regarding ability to receive data by PSAP.

Eddie Martin-Sprint requests info regarding landline ability to transmit calls to PSAP and establishment of standard.

Steve Skinner-BellSouth explains "CAMA trunk" ability to handle without upgrade. Debate ensued.

Steve Lochmueller interjected and reiterated need to have carriers create a relationship to share information.

John Patterson reiterated CAMA as being the common trunk standard.

Richard Guittar recommended putting guidelines on Web.

Motion to dress up copy of PSAP letter and send out next week.

Motion by R. Guittar, 2nd by F. Skaggs. Motion carried.

-

Steve Skinner's presentation-Cost Recovery - copies available

Much interaction regarding recoverable cost parameters

BREAK

-

New Business:

Personnel Subcommittee-John, Forest and Richard will evaluate 3-10 candidates to present to the Board.... Fax to individuals on Committee as received.

Meeting for evaluating candidates potentially on the 15th of April

Discussion of Administrative Regs.

Send copy of sample admin regs to all board members

Get Angela or Karen to discuss Regs at next meeting

M. Vaughn raised question relating to all commercial voice radio providers being polled via mail regarding qualifiers. Recommendation made to send letter requesting compliance or explanation.

Tabled per S. Lochmueller.

F. Skaggs moved to adjourn. Second by J. Witt. Motion carried.

Next meeting scheduled April 1st, 1999 at 1pm.



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CMRS Board Meeting Minutes 03/04/1999

Members present:

Steve Lochmueller
David Lucas
Richard Guittar
John Witt
Forest Skaggs
Shelby Horn

Members Absent:

Andy Hall

Welcome by Steve Lochmueller, Chair

Motion to approve minutes by Witt, second by Guittar.

Shelby recommended meeting notice on voice mail.

Committee for web page to be handled by David Lucas and Richard Guittar.

Bylaws discussion:

Witt brought up issue regarding quorum referred to legal opinion....

Article V, Section 1 put voting back in. Lucas motion, Witt second...

Unanimous....

Article V; Section 6-change time frame to 14 days. Change both shalls to mays. Motion by Shelby 2nd by Witt unanimous.

Article VI, F and G delete. Motion by Forest, second by David.

Unanimous.

Article IX discussion regarding conduct and confidentiality issues and whether the necessity to sign a document should be in the bylaws.

Shelby recommended addition of language tying board members to confidentiality requirement. Tabled until language could be obtained from legal.

Richard recommended add from voting on after abstain. Steve motion, Richard second

Also discussion regarding sub-committees being made up of a non-biased mix.

Fund issues- Lucas discussed with controller Ed Ross.

5 1/2% on existing account.

Report on activity will be available monthly.

David will draft cover to accompany remittance advise and make check payable to KY State Treasury.

Motion to collect and place money in state account by Witt, second by Guittar. Unanimous.

Mary & Elaine to send out certified mail after board approval Thursday letters will be ready for signature. Mailing to go out on Friday next week.

Cost of recovery discussion.

Discussion broached by Steve Loch regarding potential presentation regarding cost recovery... Possibly Steve Skinner from BellSouth and Indiana Board. Shelby will invite Indiana and Richard will invite Steve.

Interjection from Dick Bartlett, Jefferson County PSAP regarding contract requirements being requested

by vendors. Discussion ensued....

Administrator job description discussion.

John will change must to should.

New dates for submission are March 14th, 28th and deadline for receipt of applications is April 12th. Also post in Personnel web site.

Discussion of grade and salary 19 to 20. Recommendation of 19 by Shelby. Witt recommended including range in advertisement.

Technical discussion from Richard.

Discussion of regions assisted by KENA/APCO for education & assistance posed by Shelby. Suggestion by Steve to present in writing at next meeting for motion.

Shelby brought up for discussion, presentation to Governor regarding Forest's (wireline) voting representation on the board. Steve recommended that all issues should be collected for future formulation of presentation.

John Patterson interjected with history on legislation.

Richard continued... Draft 4 is less technical language...

Mailing to go out next Friday... Signature on Thursday...

Due by 4/14. Reporting time frame discussion ensued.

Bylaws Article IX language submitted by legal. Shelby Horn motioned to accept and add language. Guittar second. Unanimous.

Questions from the floor:

Dick's Bartlett's request....

Have Board send letter to vendors informing them as to proper cost recovery guidelines.

Also send letters to PSAPs warning against signing contracts and provide education....

Get copy of letter from PSAP's so that Board can remit contract to venders vs. vendor remitting to PSAP....

Q. From Springfield, KY : How does the PSAP count calls if the providers cannot?

A.The Board will work with both wireless and wireline to capture most accurate count possible while working w/ PSAP.

Q. From J. Patterson : Can the wireless carrier contract w/ landline and get reimbursed from the Board?

A. That is a possibility.

Motion to adjourn by Witt. Second by Shelby.



Last modified: September 19, 2001

**Commercial Mobile Radio Service
Emergency Telecommunications Board
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Frankfort, Kentucky 40601
Phone (502)564- 2632 Fax (502)564- 3204**

CMRS Board Meeting Minutes 02/17/1999

Present-
Shelby Horn
Forest Skaggs
David Lucas
John Witt
Steve Lochmueller (remote)
Richard Guittar (remote)

Absent:
Andy Hall

Captain Witt moved for minutes to be approved as amended. Addition of motion by Richard Guittar of nomination of Steve Lochmueller for Chair and motion by Andy Hall for Shelby Horn to be Vice-Chair.

Mary Vaughn presented update on office issues-agreement to continue with efforts

Bylaws discussion ensued:

Article V section 1. And 2. Strike the word "voting"

Forest is to be included in all aspects EXCEPT voting.

Clarify designee status in Article V Section 3

debate regarding difference between "proxy" and "delegate"

Legal opinion referred back to legislative limits.

Public meeting issue resolved as long as there is not a quorum of the members

(Article 4 Section 4) Strike " or of any committee thereof"

Article 4 Section 1,2,3 change to reflect legislation/KRS language.

Discussion ensued regarding amending the legislation to make Wireline representative a voting member.

Agenda Item V-3 will not be considered closed session.

Article III Section 3 strike first 7 words and begin with Staff.

Discussion ensued about regarding re-appointment procedures for CMRS reps.

Discussion ensued regarding Article 1, Section 3 regarding August 15th 1998 start date. No changes made.

Article I, Section 3 change to 2 members for 3 years

Article II, Section 4.. Add with the exception of the administrator.

Delete Section 3 Article II

Article III , Section 4 change verbage to Board instead of chairman.

Article IV change verbiage to reflect statute

Articles V see above and delete 5, 6, and 7.

Section 9 change shall to may and add that the Administrator will consult with the Board on the scheduling of the presentation.

Article VI - Forrest raised question regarding F. and G. Change verbiage to say guidelines instead of regulations

Article VII - Change chair to Board regarding standing committee

Article VIII - strike last line regarding prior notice

Article IX - Keep first sentence and, strike the second sentence, amend the 3rd to change such to a and add affected member.

David moves for lunch!

Fund depository issue: insurance question raised regarding FDIC limits

Only state agency that does not use the Treasury is PSC for one fund. OAG Legal recommended reference to KRS 41.070. And to discuss w/ Ed Ross.

Where do the administrative costs come from?

Discussion re: Revenues include interest and therefore is split according to the main formula.

Reference to KRS section 6 for discussion

Witt noted that administrative costs might out-way benefit of higher interest rate

CMRS Provider remittance form:

Board agrees to use Indiana forms with adjustments

Needs line for documentation of discrepancy in dollars collected.

Cost recovery discussion:

Review of documentation submitted by Andy hall.

Board members will take their copies home for review and recommendations prior to the next meeting

Updated PSAP list review:

Updated Provider list review:

Technology Committee report-Lucas, Skaggs and Guittar

Discussion ensued. Call counting from carriers is issue. Draft 4 is forthcoming.

John Patterson suggested using a good faith count from the PSAP's in the interim.

Richard broached idea of bringing providers/vendors in for educational session for Board.

Administrator position job description:

Forest makes a recommendation to add the verbiage to reflect wireline and wireless technology under preferred qualifications.

Move sentence order around under position summary

Discussion on addition of "and/or PSC" Leave in.

Educational bullet: change verbiage to all concerned parties statewide.

Shelby recommended addition of presentation skills, dealing with the public, negotiation skills.

Shelby motioned to accept with changes.

Passed unanimously.

Decision to run advertisement in Ashland, Paducah, CJ, LexHL newspapers.

Steve motioned for 28th and 14th run dates. deadline of 22nd of March

Second by Shelby.

New Business:

Motion by D. Lucas: Accept the remittance form for distribution w/ changes that were suggested earlier in the meeting.

Second by Shelby Horn; approved unanimously

Open questions from public:

Mark Freeman (Bluegrass Cellular) Q: When will providers start receiving money from the fund. A. (Steve): At this point we are unsure of the exact time. We want to have everything setup before we start distributing the funds.

Motion to dismiss (Steve) second Witt.



Last modified: September 19, 2001



**Commercial Mobile Radio Services
Emergency Telecommunications Board
21 Millcreek Park
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new regulation*
(effective December 16, 2002)

Statewide Mapping Project
(KY Intelligent Road Centerline Layer "KIRCL")

Audio Tapes from NENA's (National Emergency Number Association) Orlando, Florida 2001 and NENA's Indianapolis, Indiana 2002 conference sessions are available for loan from the CMRS Board. Click below to view the available tapes.

NENA 2001 Audio Tapes

NENA 2002 Audio Tapes

Our Mission

The CMRS Board is charged with administrating the CMRS fund for the purpose of implementing wireless emergency 911 service through out Kentucky in accordance with State and Federal Legislation and Regulation.

Board Business

◆ Minutes



- ◆ Agenda
- ◆ Articles and Press Releases
- ◆ Public Hearings & Board Meetings Schedule
- ◆ Legislation
- ◆ By-Laws
- ◆ Financial Data
- ◆ Regulations
- ◆ KY PSAP Contacts
- ◆ Status Maps & Reports
- ◆ PSAP Certification

Other Useful Links

- ◆ Federal Communications Commission
- ◆ Wireless and Wireline Connections
- ◆ PSAP Organizations
- ◆ State Agencies

-
- ◆ If you have any questions, please contact John J. Patterson at:
Telephone: 502-573-1000/ 859-333-2600 (mobile) or just click on the email address
Email Address: John.Patterson@mail.state.ky.us
 - ◆ In the event that you cannot reach the Administrator, please contact the board by clicking on the email address.
If you wish to contact a board member directly, type the board members name in the subject and the e-mail will be forwarded to the CMRS Board.
Email Address: CMRSBoard@mail.state.ky.us



Last modified: March 21, 2003

Any suggestions or comments please contact us at CMRSboard@mail.state.ky.us